

# A GUIDE TO EASTERN STATES PROCEDURE

U. S. DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

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U.S. Department of the Interior  
Bureau of Land Management  
Eastern States Office  
June 1984

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## A GUIDE TO EASTERN STATES PROCEDURES

### INTRODUCTION

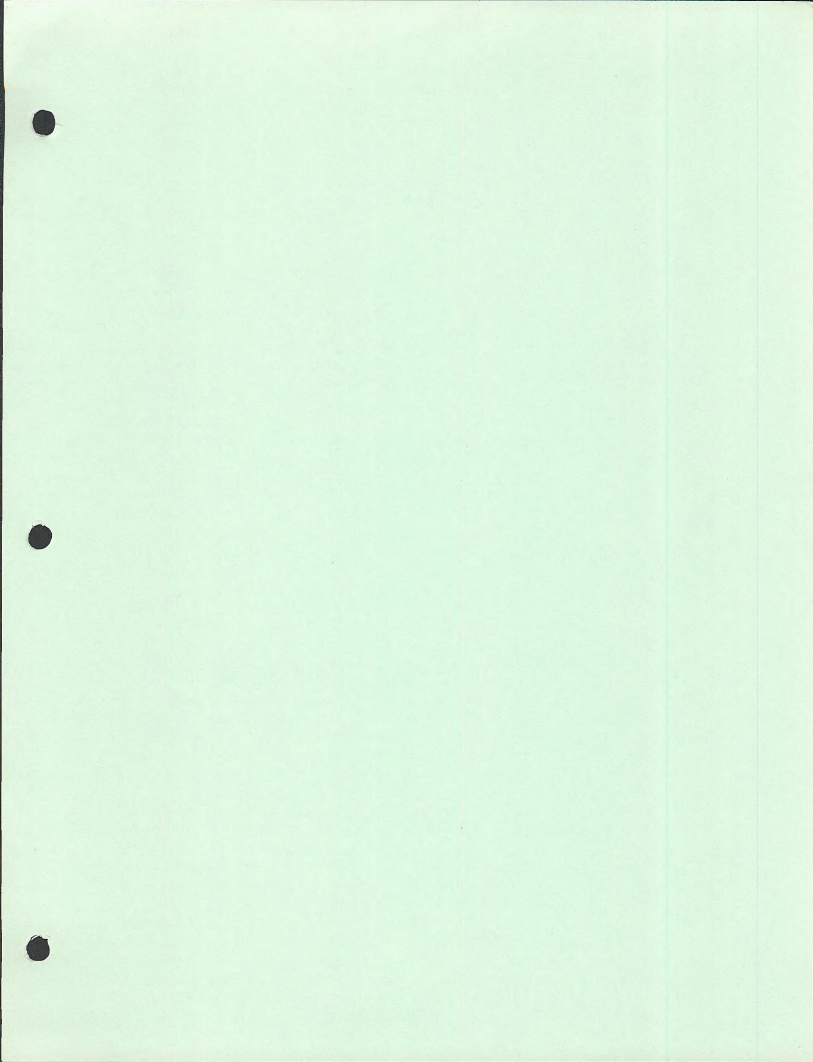
The Eastern States Office (ESO) of the Bureau of Land Management has surface and subsurface management responsibilities within a 31-state jurisdiction bordering on and to the east of the Mississippi River. Its surface responsibilities involve approximately 64,000 acres of public lands and its subsurface mineral management responsibilities encompass over 30 million acres of Federal mineral ownership.

In addition to its headquarters in Alexandria, Virginia (see the Table of Organization), ESO has District Offices in Milwaukee, Wisconsin, and Jackson, Mississippi, a Resource Area Office in Rolla, Missouri, and cadastral survey project offices in five states. The ESO staff includes over 200 professional, technical, and administrative employees with varied backgrounds in minerals and natural resource management, cadastral surveying, data processing, personnel and other fields.

The primary functions of the ESO are (1) minerals management within the framework of the Federal Land Policy and Management Act of 1976; (2) disposal of ESO's public land surface ownership; and (3) processing applications from agencies, industry, and the public for leases, permits, conveyances, exchanges, resolution of color-of-title issues and copies of records.

This procedures handbook displays, through the use of flowcharts and narratives, the procedures ESO uses to handle its complex responsibilities. This document has numerous applications as an orientation and training tool for new employees, a day-to-day reference for managers and specialists, and a source of information for other Federal, state, and local agencies and the public. It is designed to be updated easily and regularly as procedures are streamlined, working times are reduced, coordination is improved, and office or staffs are reorganized for greater efficiency.







## LANDSAT INVENTORY AND DETECTION (LID) PROGRAM

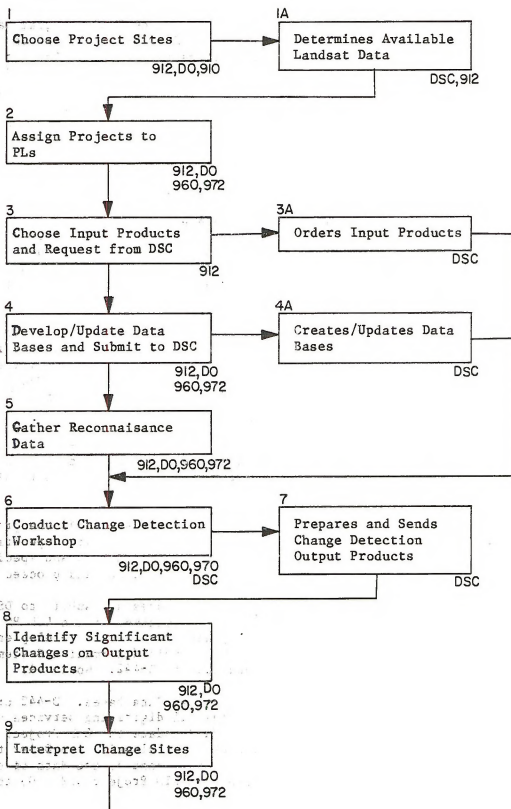
LID became an operational program in October 1982. It is one of the tools which ESO had available for use as part of its Unauthorized Use Detection Program. The areas selected have been screened using principally two criteria: (1) large amounts of Federal mineral ownership (20,000 ac. or more) present and (2) active mining or a high potential for mining present. The LID Program has grown from four project sites in FY 1982 to seven project areas and eleven Landsat scenes in FY 1984, covering approximately four million acres of Federal mineral ownership.

The primary goal of the Unauthorized Use Detection Program is to prevent the unauthorized use of Federal minerals. The principal objectives of the program are to: (1) identify any unauthorized use and monitor mineral leases on Federal lands, (2) identify active mining on tracts adjacent to Federal mineral ownership in order to monitor mining advance and (3) build a public awareness of the presence of Federal minerals and of ESO's monitoring activities in order to assist in meeting the goal of unauthorized use.

Authority for establishing and operating an unauthorized use program, of which the LID Program is a part, is derived from: (1) Interior Departmental Manual 235, (2) various Federal statutes, including FLPMA, and (3) BLM Manual 9230 entitled Trespass.

The LID project areas are monitored through the use of a Landsat change detection technique on a cyclical basis.

# LANDSAT INVENTORY AND DETECTION (LID) PROGRAM



# LANDSAT INVENTORY AND DETECTION (LID) PROGRAM

Step	Office/ Responsible Person	Action	Time to Complete Step(Days)
1	912/Program Manager DO/DMS, Project Leaders	1. Choose project sites. LID Program Manager (PM) in 912, with input from the District Managers and their LID Project Leaders (PLs), prepares list of project sites for the FY. LID PM, after conferring with D-442 staff, prepares <u>MBO schedule and LID Program Plan</u> with description of projects and project time frames for major action steps for review by the Director and presents a list of sites to D-442. Go to 1A.	30
1A	DSC/DAS 912/PM	1A. Determines available Landsat data. D-442 Data Analysts (DA) perform search of available Landsat data which meets quality standards and time frames and notifies LID PM of findings. LID PM makes any necessary adjustments based on findings.	30
2	912/PM DO,960	2. Assign projects to PLs. LID PM, with input from the supervisors of the LID PLs in the Districts (and the State Office), lists the assignments for each LID PL in MBO schedule and LID Program Plan and notifies PLs.	14
3	912/PM	3. Choose input products and request from DSC. LID PM places order with D-442 for Landsat tapes and other needed input products utilizing 912 procurement funds. Go to 3A and proceed to 4.	
3A	DSC/DAS	3A. Orders input products. D-442 DAS provides the U.S.G.S. Data Center with specific identification, information and specifications for input products and proceed to 6.	14
4	912/PM DO/960, 972,912/PLs	4. Develop/update bases and submit to DSC. LID PMs under the guidance of the LID PM gather necessary data required to develop each LID Project Geographic Information System (GIS) and send data to D-442. Go to 4A.	90-365+
4A	DSC/DAS	4A. Creates/updates data bases. D-442 provides/coordinates all digitizing services needed to create and update the LID Project GISs. The LID PM works closely with D-442 to coordinate the development of the data files which comprise each LID Project GIS. Go to 6.	90-365+

1. The first part of the report is a summary of the work done during the last year. It is a very good summary and gives a clear picture of the progress made.

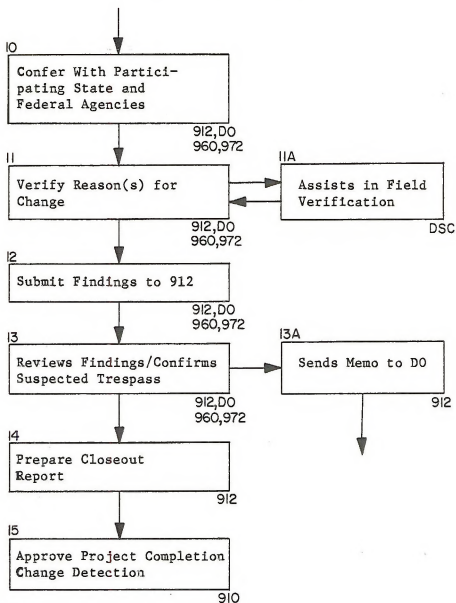
2. The second part of the report is a detailed account of the work done during the last year. It is a very good account and gives a clear picture of the progress made.



# LANDSAT INVENTORY AND DETECTION (LID) PROGRAM

Step	Office/ Responsible Person	Action	Time to Complete Step(Days)
5	912/PM DO,960, 972,912/PLs	5. Gather reconnaissance data. LID PLs under guidance of LID PM gather back-ground data on State and Federal agency sources. This is to be an ongoing activity, however a special reconnaissance trip is usually made the first year in which a new project area is created. A DSC DA generally participates in the special reconnaissance trip.	30+
6	DO,960, 972,912,PLs DSC/DAs	6. Conduct change detection workshop. LID PL works with a D-442 DA in the D-442 analysis laboratory in order to: <ol style="list-style-type: none"> <li>Determine the range of Landsat albedo change or the "threshold" which will be used for the output products run.</li> <li>Work on any problems specific to the project area.</li> <li>Prepare list of output products to be produced by D-442 and delivered to LID PL.</li> </ol>	5
7	DSC/DAs	7. Prepare and send change detection output products. D-442 DA prepared the output products which consist of milar maps overlays for use identifying significant changes and milar maps overlays and color map products for displays, demonstrations and handouts.	75
8	DO,960, 972,912/PLs	8. Identify significant changes on output products. PLs choose significant change sites using the Landsat albedo change overlays and ownership maps. The sites are marked and recorded on <u>LID Change Verification Worksheet</u> .	14
9	DO,960, 972,912/PLs	9. Interpret change sites. PLs use aerial photography, when available, topographic maps and ancillary data to interpret the change sites. The reason for change is recorded on the <u>LID Change Verification Worksheet</u> for change sites which can be confirmed as having no unauthorized use. No further action is required concerning these sites.	14

LANDSAT INVENTORY AND DETECTION (LID) PROGRAM



# LANDSAT INVENTORY AND DETECTION (LID) PROGRAM

Step	Office/ Responsible Person	Action	Time to Complete Step(Days)
10	DO,960, 972,912/PLs	10. Confer with participating State and Federal agencies: confer with participating State and Federal agency contracts to verify the reasons for changes. No further action is required for change sites which are confirmed to have no unauthorized use.	30
11	DO,960, 972,912/PLs	11. Verify reason(s) for change. PLs field check any changes which have not been verified. Go to 11A when doing first time verification for a new scene; otherwise 12.	7
11A	DSC/DA	11A. Verify reason(s) for change. D-442 DA assists PL on field verification work for each new project area in order to discover any possible problems.	7
12	DO,960	12. PLs submit findings to 912. PLs report any observed suspected unauthorized use as incidents to the 912 staff. The incidents are reviewed and appropriate actions are taken.	7
13	912/PM DO,960, 972,912/PLs	13. Review findings/confirms suspected trespass. PLs prepare <u>LID Project Closeout Report</u> with the assistance of the LID PM: a. If yes, go to 13A and then proceed to 14. b. If no, go to 14.	21
13A	912/PM	13A. Sends memo to DO. PM alerts DM of suspected trespass. DO then proceeds with unauthorized use case settlement procedures.	7
14	912/PM, DO,960, 972,912/PLs	14. Prepare closeout report. PLs prepare a <u>LID Closeout Report</u> . It is reviewed by the LID PM and sent to the SD.	14
15	910/SD	15. Approve project completion. The SD reviews the <u>LID Project Closeout Report</u> and approves or disapproves the Project as complete.	30

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## UNAUTHORIZED USE CASE SETTLEMENT PROGRAM

The Eastern States Office became actively involved in trespass settlement beginning in January 1979 when the Alabama coal trespass cases became an issue. In June 1980, a full-time Trespass Coordinator was recruited as a member of the Resource Protection Staff.

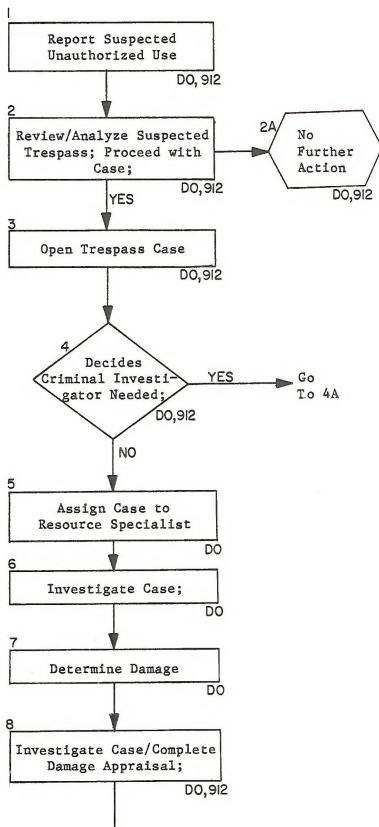
The primary goal of the Unauthorized Use Case Settlement Program is to prevent the unauthorized use of Federal minerals. The principal objectives of the program are to: (1) investigate suspected incidences of unauthorized use of Federal property under the jurisdiction of BLM, (2) settle cases of proven unauthorized use by stopping ongoing unauthorized use and by attempting to recover damages when tangible resources have been removed or resource values have been destroyed, and (3) build a public awareness of the presence of Federal minerals and ESO's unauthorized use case settlement activities in order to assist in meeting the goal of unauthorized use prevention.

Authority for establishing and operating an unauthorized use program, of which the unauthorized use case settlement procedures are a part, is derived from: (1) Interior Departmental Manual 235, (2) various Federal statutes, including FLPMA and (3) BLM Manual 9230 entitled Trespass.

The Resource Protection Staff Criminal Investigators are responsible for compliance and investigative work outside of the realms of unauthorized use, as it is defined in Manual 9230. They follow many of the same steps of the criminal and civil processes described in this section in pursuing, for example, their investigations required as part of their Wild Horse and Burro Program compliance responsibilities.

UNAUTHORIZED USE CASE SETTLEMENT PROGRAM

Administrative Procedures



UNAUTHORIZED USE CASE SETTLEMENT PROGRAM

Step	Office/ Responsible Person	Action	Time to Complete Step (Days)
1	DO/Resource Specialists DO,960,972	<p>1. Report suspected unauthorized use Discovery may be made by:</p> <ul style="list-style-type: none"> <li>a. Public or State and other Federal agency personnel, and</li> <li>b. BLM project leaders through field work or participation in the Landsat Inventory and Detection (LID) Program.</li> </ul> <p>The information concerning the suspected trespass should be given to the DO or ESO Trespass Coordinator. The information should be recorded in an <u>Initial Report of Trespass, BLM Form 9230-1</u>.</p>	1
2	DO/DOTC 912/ESOTC CI	<p>2. Review/analyze suspected trespass. The District Office Trespass Coordinator (DOTC)/Eastern States Office Trespass Coordinator (ESOTC) upon receiving the information enters into the Law Enforcement Assistance Data System (LEADS) <u>Incident File</u>; reviews the information; makes a preliminary ownership status check and consults with resource specialists and the Criminal Investigator (CI) as needed; and decides whether to proceed with a trespass case.</p> <ul style="list-style-type: none"> <li>a. If yes, go to 3.</li> <li>b. If no, go to 2A.</li> </ul>	14
2A	DO/DOTC	<p>2A. No further action. No further action is required other than to closeout the incident on the <u>LEADS Incident File</u>.</p>	1
3	DO/DOTC	<p>3. Open trespass case. The DOTC/ESOTC opens a trespass case by:</p> <ul style="list-style-type: none"> <li>a. Assigning trespass case number.</li> <li>b. Logging case into the <u>Trespass Register</u>.</li> <li>c. Setting up <u>Trespass Record Card</u>.</li> <li>d. Entering case into the <u>LEADS Investigative File</u>, and</li> <li>e. Setting up case file folder.</li> </ul>	
4	DO/DM,DOTC 912/Special Agent-in- Charge, ESOTC, CI	<p>4. Decides CI skills are needed. The DOTC/DM request the services of the CI because it is potentially a high value trespass, and/or there appears to have been some criminal intent. The CI reviews the case, confers</p>	





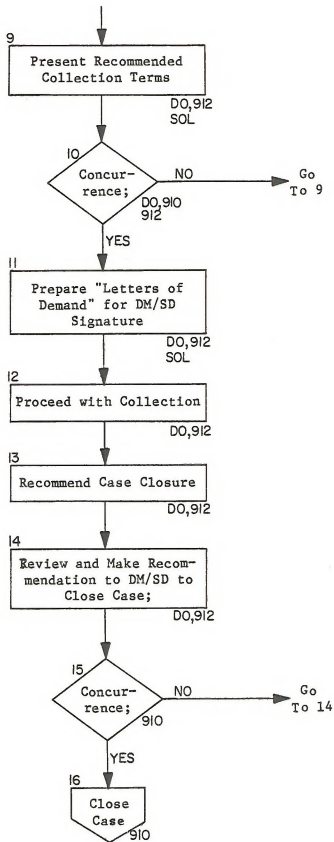
## UNAUTHORIZED USE CASE SETTLEMENT PROGRAM

Step	Office/ Responsible Person	Action	Time to Complete Step (Days)
		with the ESO Special Agent-in-Charge (SAC) and decision is made whether or not to assign the case to the CI.	
5	DO/DM	5. Assigns case to resource specialist.	1
6	DO/Resource Specialist	6. Investigate case and confirm trespass. a. If yes, to to 7.	30-N
7	DO/Resource Specialist	7. Determine significant trespass damage. The trespass is considered to be significant when the value of the resources removed or destroyed is \$ * or greater. a. If yes, go to 4A. b. If no, go to 8.	30-N
8	DO/Resource Specialist, DOTC 912/ESOTC	8. Investigate case further and complete a geologic evaluation. If mineral case, under certain circumstances it may not be possible to make a value determination. a. If a value determination is made, go to 9. b. If a value determination cannot be made, go to 13.	30-N

\* Dollar limitation to be determined. Additional study of Bureau manuals/references and consultation with the SD/DMs is required.

UNAUTHORIZED USE CASE SETTLEMENT PROGRAM

Administrative Procedures



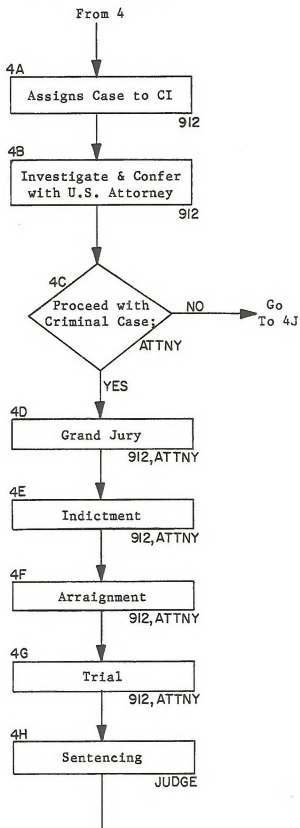
## UNAUTHORIZED USE CASE SETTLEMENT PROGRAM

Step	Office/ Responsible Person	Action	Time to Complete Step (Days)
9	DO/DOTC 912/ESOTC Asst. SOL/ Assistant Regional Soli- citor	9. Present recommended collection terms. a. If under \$ * recommendation is made to DM through DOTC. b. If \$ * or over, recommendation is made to SD through DOTC and ESOTC.	14
10	DO/DM 910/SD 912	10. Concurrence. a. If yes, go to 11. b. If no, go to 9.	7
11	DO/DOTC,DM 912/ESOTC 910/SD Asst. SOL/Assis- tant Regional Solicitor	11. Prepare <u>Letters of Demand</u> for DM/SD signature. a. If under \$ * , DOTC prepares and DM signs. b. If \$ * or over, ESOTC prepares and SD signs.	7
12	DO/DOTC 912/ESOTC	12. Proceed with collection.	30-N
13	DO/Resource Specialist DOTC 912/CI,ESOTC	13. Recommends case closure. a. If demand was under \$ * , the rec- ommendation goes to DOTC. b. If demand was \$ * or over, recom- mendation goes through DOTC to ESOTC.	7
14	DO/DOTC 912/ESOTC	14. Review and make recommendation to close case by memorandum. If demand was under \$ * , DOTC takes this action/if demand was \$ * or over, ESOTC takes action.	7
15	910/SD	15. Present recommendation to SD. a. If SD agrees, go to 16. b. If SD disagrees go back to 14 for review and suggestions.	
16	DO/DM 910/SD Asst. SOL/Assis- tant Regional Solicitor	16. Close case. Note: Any case with a value determina- tion of \$20,000 or more may not be closed without permission of the Government Accounting Office.	1

\*Dollar limitation to be determined. Additional study of Bureau manuals/references and consultation with the SD/DMs is required.

UNAUTHORIZED USE CASE SETTLEMENT PROGRAM

Criminal Procedures

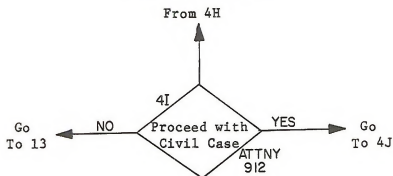


## UNAUTHORIZED USE CASE SETTLEMENT PROGRAM

Step	Office/ Responsible Person	Action	Time to Complete Step (Days)
4A	912/SAC,CI	4A. Assign case to CI. The CI whose jurisdiction the case falls in will normally be assigned the lead. The other ESO CIs may assist the lead Agent as required.	1
4B	912/CI ATTNY/assistant U.S. Attorney	4B. Investigates and confers with U.S. Attorney (ATTNY). The CI contacts the ATTNY and works closely with him(her) in order to provide the ATTNY with the background which he(she) needs on the case.	30-N
4C	ATTNY/Assistant U.S. Attorney	4C. Proceed with criminal case. Decision is based on whether or not there is a burden of proof to support criminal intent on the part of the trespasser. a. If yes, go to 4D. b. If no, go to 4J.	30-N
4D	ATTNY/Assistant U.S. Attorney 912/CI	4D. Grand Jury. CI testifies before the Grand Jury.	30-N
4E	ATTNY/Assistant U.S. Attorney 912/CI	4E. Indictment	1-N
4F	ATTNY/Assistant U.S. Attorney 912/CI	4F. Arraignment. CI will assist as needed in bringing the accused to trial.	1-N
4G	ATTNY/Assistant U.S. Attorney 912/CI	4G. CI assists ATTNY in preparing testimony and usually testifies.	1-90
4H	Judge	4H. Sentencing	2-5

UNAUTHORIZED USE CASE SETTLEMENT PROGRAM

Criminal Procedures

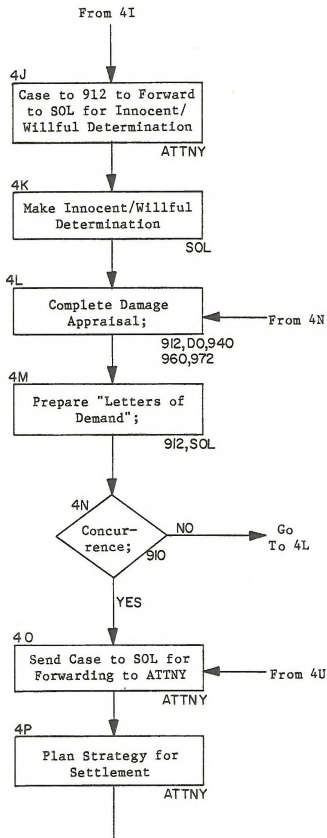


## UNAUTHORIZED USE CASE SETTLEMENT PROGRAM

Step	Office/ Responsible Person	Action	Time to Complete Step (Days)
4I	ATTNY/Assis- tant U.S. Attorney	4I. Proceed with civil case. A civil case is initiated in order to attempt to collect damages for the U.S. Govern- ment. a. If yes, go to 4J. b. If no, go to 13.	30-N

UNAUTHORIZED USE CASE SETTLEMENT PROGRAM

Civil Procedures



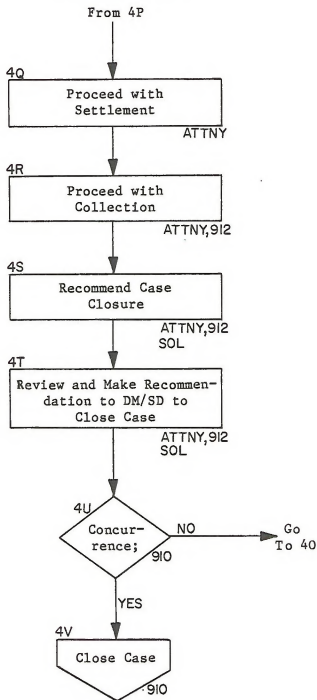


# UNAUTHORIZED USE CASE SETTLEMENT PROGRAM

Step	Office/ Responsible Person	Action	Time to Complete Step (Days)
4J	ATTNY/Assis- tant U.S. Attorney 912/ESOTC, CI	4J. Send case to 912 for forwarding to Eastern States Assistant Solicitor (Asst. SOL) for innocent/willful determination.	14
4K	Asst. SOL/ Assistant Regional Soli- citor	4K. Make innocent/willful determination.	30-N
4L	912/ESOTC 940/Surveyors 960/Resource Specialists 972/Mineral Economists DO/Resource Specialist	4L. Complete damage appraisal.	30-90
4M	912/ESOTC SOL	4M. Prepare <u>Letters of Demand</u> for SD concurrence/signature; and continue investigation.	5
4N	910/SD	4M. Concurrence. a. If yes, go to 40. b. If no, go to 4L for review and recommendations.	7
4O	ATTNY/Assis- tant U.S. Attorney	4O. Send case to Asst. SOL for forwarding to ATTNY for filing in U.S. District Court; and continue investigation.	
4P	ATTNY/Assis- tant U.S. Attorney	4P. Plan strategy for settlement. The U.S. Attorney decides on strategy to take in pursuing settlement. The strategy may be to: a. proceed with court case; b. initiate a court case in order to encourage negotiated settle- ment; or c. proceed with negotiated settlement.	30-N

UNAUTHORIZED USE CASE SETTLEMENT PROGRAM

Civil Procedures

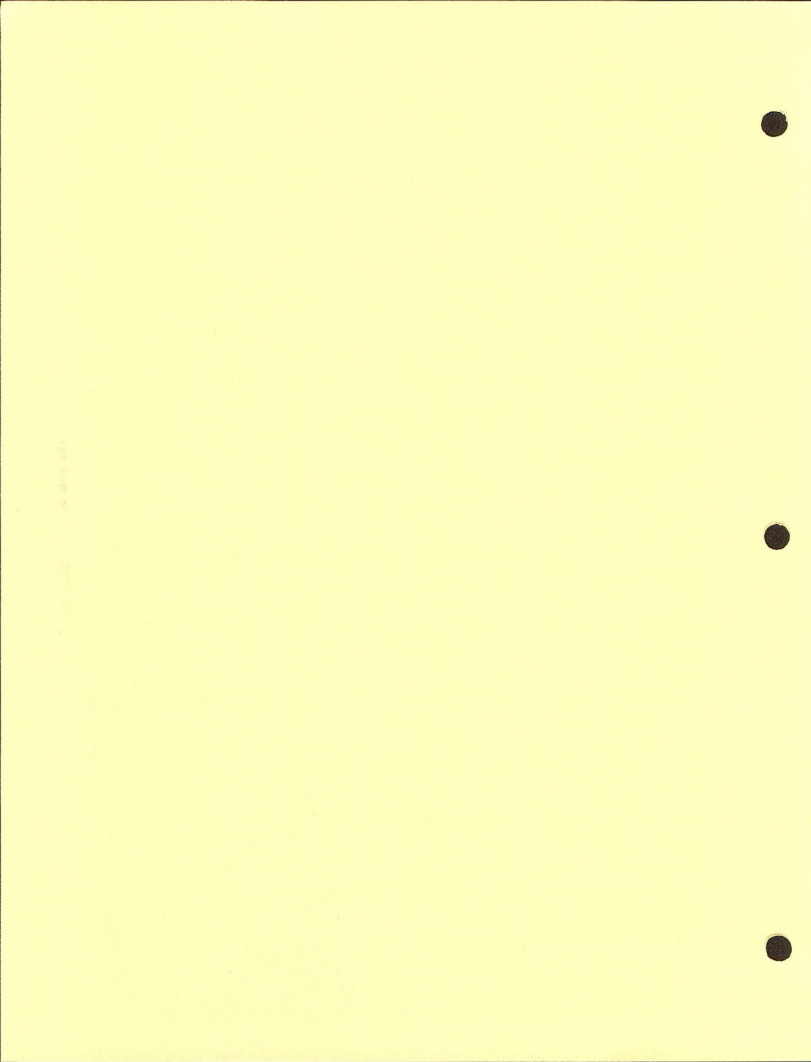


## UNAUTHORIZED USE CASE SETTLEMENT PROGRAM

Step	Office/ Responsible Person	Action	Time to Complete Step (Days)
4Q	ATTNY/Assis- tant U.S. Attorney	4Q. Proceed with settlement.	30-N
4R	ATTNY/Assis- tant U.S. Attorney 912/ESOTC	4R. Proceed with collection. The collec- tion arrangements are formulated by the ATTNY. Payment(s) are directed to the ATTNY and then forwarded to BLM.	30-N
4S	ATTNY/Assis- tant U.S. Attorney 912/CI, ESOTC SOL/Assis- tant Regio- nal Solici- tor	4S. Recommends case closure according to Department of Justice and Department of Interior regulations.	7
4T	ATTNY/Assis- tant U.S. Attorney 912/CI,ESOTC SOL/Assis- tant Region- al Solicitor	4T. Review and make recommendation to close case by memorandum.	7
4U	910/SD	4U. Present recommendation to SD. a. If SD agrees, go to 4V. b. If SD disagrees, go back to 4Q for review by ATTNY, SOL and 912.	7
4V	910/SD	4V. Close case.	1



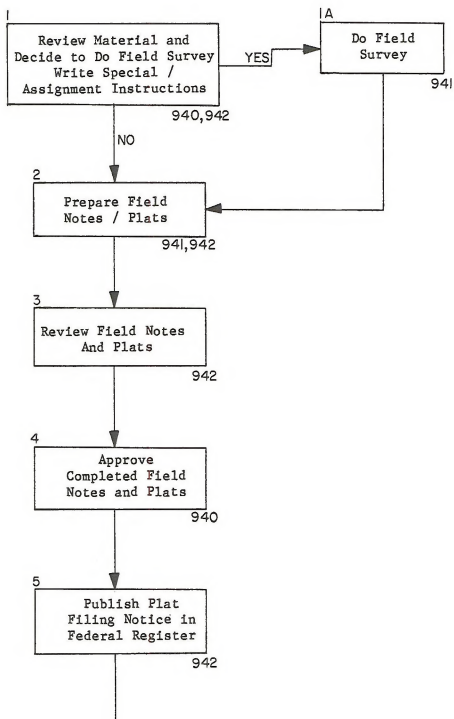




## CADASTRAL SURVEY

Cadastral Survey creates (or reestablishes), marks, and defines boundaries of Federally-administered lands within the states east of the Mississippi River, plus Minnesota, Iowa, Missouri, Arkansas, and Louisiana along the west side of the Mississippi. The authority to perform cadastral surveys is cited in R.S. 453; 43 U.S.C. 2.

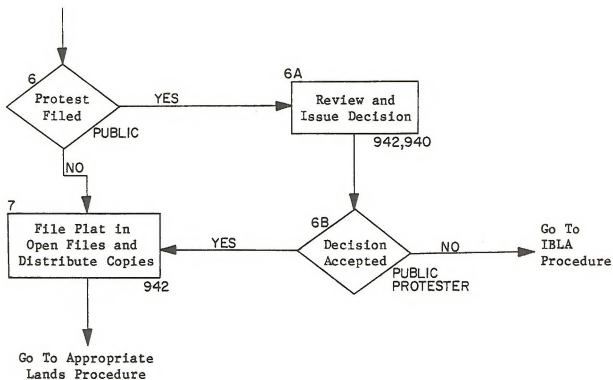
CADASTRAL SURVEY





# CADASTRAL SURVEY

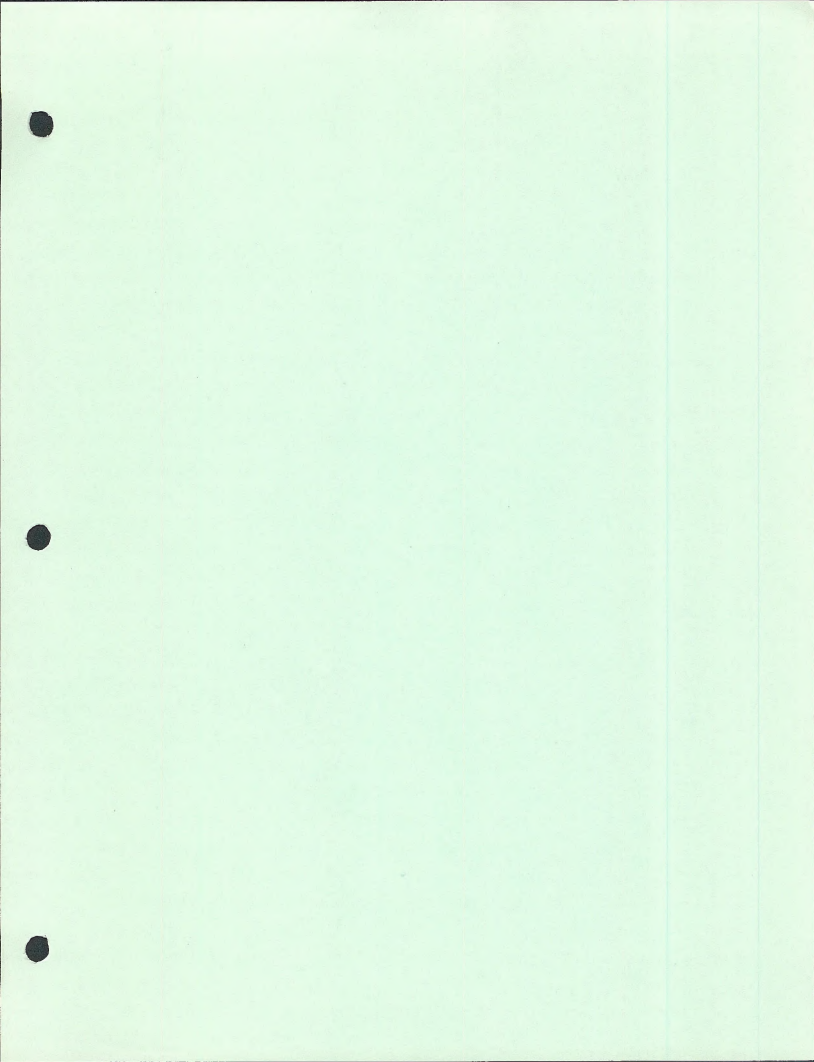
Step	Office/ Responsible Person	Action	Time to Complete Step (Days)
1	940/Chief 942/Cadastral Surveyor	1. Review requests. a. Decide to do field survey. If no, go to c, then 2. If yes, go to c, then 1A. b. Write <u>Special</u> and <u>Assignment</u> <u>Instructions</u> . (If a Supplemental Plat, 940 writes and approves <u>Assignment Instructions</u> only). c. Forward <u>Instructions</u> to 940 for approval and signature.	2
1A	941/Cadastral Surveyor	1A. Do Field Survey.	10-360
2	941, 942/ Cadastral Surveyor 942/Cartographic Technician, Editorial Assistant	2. Prepare <u>field notes</u> and/or <u>plats</u> . a. If from field survey, rough field notes and sketch plats are prepared by 941. b. 942 prepares <u>sketch plats</u> , and field notes if applicable. c. 942 drafts final <u>plats</u> , and types field notes.	1-30
3	942/Chief, Final Review Section	3. Review <u>field notes</u> and <u>plats</u> , and forward to 940.	3
4	940/Chief	4. Approve completed field notes and plats.	3
5	942/Staff	5. Publish <u>Plat Filing Notice</u> in <u>Federal</u> <u>Register</u> . a. Send <u>Report</u> to American Congress of Surveying and Mapping.	3



# CADASTRAL SURVEY

Step	Office/ Responsible Person	Action	Time to Complete Step (Days)
6	Public	6. Protest filed, (should go to ES 940). a. If no, go to 7. b. If yes, go to 6A.	30
6A	942/940/Chief	6A. Review and prepare <u>decision</u> for Assistant Solicitors approval and State Directors signature.	1-3
6B	Public	6B. Decision accepted. a. If yes, or no response within 30 days, go to 7. b. If no, review decision with Assistant Solicitor, then IBLA procedure.	30
7	942/Editorial Assistant	7. File plat in open files and distribute <u>copies</u> to applicants, 962.34, 962.44, as appropriate. Go to appropriate Lands procedure.	1





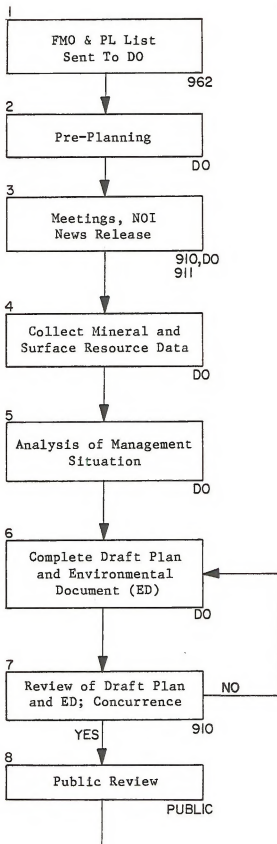


## PLANNING

Eastern States' Planning assists managers in resolving the conflicting demands placed upon the public lands located in ESO's jurisdiction. It addresses the issue of resource development while protecting other resource uses by emphasizing the following: energy and mineral self-sufficiency, streamlining policies and regulations, protecting environmental quality, and developing strong working relationships with Federal, state, and local governments.

It is prepared in accordance with the Bureau of Land Management planning regulations (43 CFR 1600), the Federal Land Policy and Management Act of 1976 (FLPMA), and the National Environmental Policy Act (NEPA).

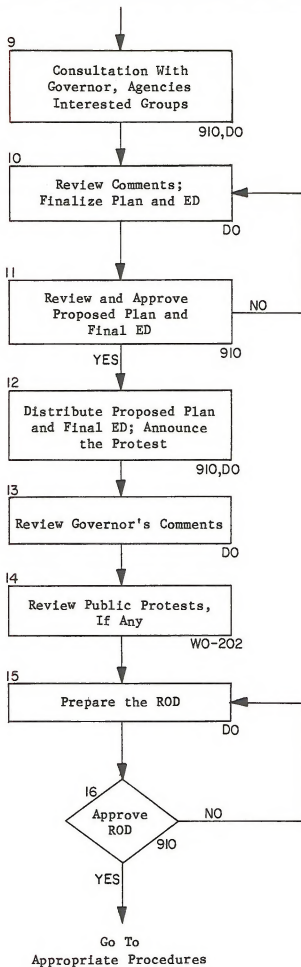
PLANNING





# PLANNING

Step	Office/ Responsible Person	Action	Time to Complete Steps (Days)
1	962/Realty Specialist	1. Federal Mineral Ownership and Public Lands List sent to DO from SO prior to start of scheduled planning.	--
2	DO/Staff	2. Preplanning. DO identifies anticipated planning concerns, a. selects appropriate type of plan, and organizes planning effort. b. Preplan sent to SD for review/approval.	1-30
3	911/Staff 910/SD DO/DM	3. Publishes NOI initiating planning effort. a. Issues news release. b. Meets with other Federal agencies, Governor, county and state governments and interested groups to discuss planning effort and coordination.	5
4	DO/Staff	4. Collects mineral and surface resource data.	30-120
5	DO/Staff	5. Prepares analysis of management situation.	10
6	DO/Staff 911/Staff	6. Completes draft plan and environmental document. a. Prepares news release and FR notice, if applicable. b. DM forwards package to SO for review and approval.	30
7	910/SD	7. Reviews and approves draft plan/ environmental document (ED), news release and FR notice, if applicable. a. If yes, go to 8, and start public review period. b. If no, go to 6.	10
8	Public	8. Public review appropriate to type of plan proposed.	30-90



# PLANNING

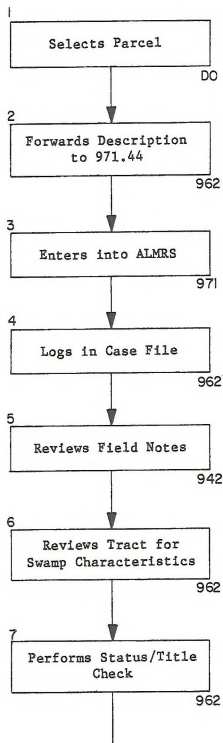
Step	Office/ Responsible Person	Action	Time to Complete Step (Days)
9	910/SD DO/DM	9. Consultation with State, other Federal agencies, and interested groups if appropriate or requested.	
10	DO/DM Staff	10. Reviews comments from Public Review, resolves conflicts if necessary completes proposed plan and final ED. a. DM makes recommendations to approve plan and final ED to SD based on public input.	10-30
11	910/SD	11. Approves proposed plan and final ED. a. If yes, go to 12. b. If no, go to 10.	5
12	910/SD DO/DM	12. a. Immediately sends copy to Governor for consistency review. b. Distributes proposed plan and ED and issues news release. c. Announce protest period.	30-60
13	DO/DM 910/SD	13. Reviews Governors comments. a. Resolves conflicts if necessary.	1-30
14	WO-202/ Staff	14. Review public protests (if any) and determine appropriate responses. a. After resolving protest, go to 15. b. If no protest, go to 15.	1-30
15	DO/DM	15. Prepares Record of Decision and forward to SD for signature.	5
16	910/SD	16. Approves and signs ROD. a. If yes, implement decisions, go to appropriate procedures (sales, withdrawal etc.). b. If no, go to 15.	5



#### SECTION "203" SALES

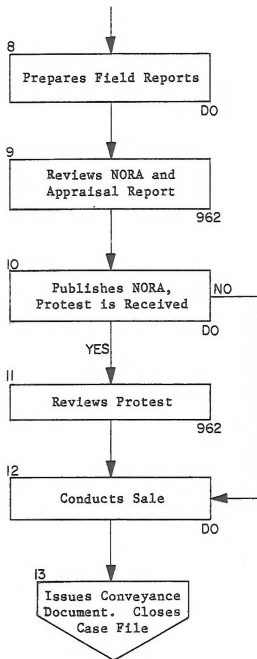
One method for the BLM to dispose of unmanageable public domain is through public sales under the authorization of Section 203 of FLPMA (43 U.S.C. 1701, 1713). A detailed land report/environmental assessment determines disposal suitability. The land must be sold at or above fair market value.

SECTION "203" SALES



## SECTION "203" SALES

Step	Office/ Responsible Person	Action	Time to Complete Step (Days)
1	DO/Staff	1. Selects parcel suitable for sale and forwards <u>legal description</u> to 962.13. Begins cultural and T/E procedures (see their flowcharts).	1
2	962.13/ Branch Chief	2. Forwards <u>legal description</u> to 971.44 and requests serialization.	
3	971.44/ Accounts Clerk ALMRS Staff	3. Enters data into ALMRS. Generates <u>serial register page</u> and sends <u>case file</u> to 962.13.	1
4	962.13/ Branch Chief	4. Logs in <u>case file</u> and assigns to 962.14.	1
5	962.13/Staff Adjudicator 942/Surveyor	5. Sends <u>case file</u> to 942 who reviews notes, makes determination of swamp in character and returns <u>case file</u> to 962.14 This step occurs after a preliminary status check.	4
6	962.14/Staff Adjudicator	6. Reviews tract for swamp character. a. If swamp, closes <u>case file</u> and pursues swamp selection process with appropriate state officials.	
7	962.14/Staff Adjudicator	7. Performs status and title check. a. Notes proposal on <u>tract books</u> . b. Prepares land status <u>report</u> . c. If tract is not surveyed, go to cadastral survey procedure. d. Completes title check(see title verification procedures). e. Consults with Assistant Solicitor (ESO) as major conflicts occur. f. Sends case file to DO.	60





## SECTION "203" SALES

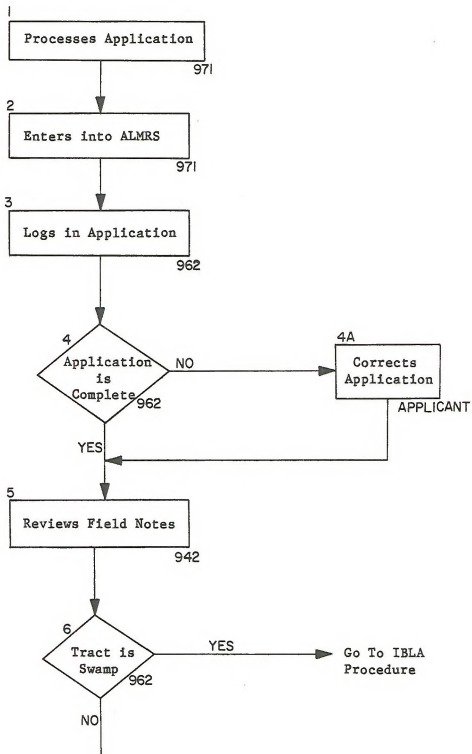
Step	Office/ Responsible Person	Action	Time to Complete Step (Days)
8	DO/Staff	8. Completes <u>land report/EA</u> , including <u>appraisal report</u> , <u>mineral report</u> , <u>cultural clearance</u> , <u>wildlife clearance</u> and <u>NORA</u> . Sends <u>case file</u> to 962.14.	60
9	962.14/Staff Adjudicator 962.44/Review Appraiser	9. Reviews <u>NORA</u> and <u>appraisal report</u> . Notifies Congressional committees and delegation. Returns <u>case file</u> to DO.	10
10	DO/Staff	10. Notifies Governor's Office. Publishes NORA in Federal Register and local newspapers. At end of comment period, evaluates if protests are received. a. If no, go to 12. b. If yes, forwards <u>case file</u> to 962.14 and go to 11.	50
11	962.14/Staff Adjudicator	11. Reviews protest. a. If protest has merit, closes <u>case file</u> and notes <u>tract book</u> and informs DO to cancel NORA. If not, dismisses protest with right of appeal.	45
12	DO/Staff	12. Conducts sale and forwards <u>case file</u> to 962.14.	
13	962.14/Staff Adjudicator	13. Issues conveyance document and notes <u>tract book</u> . Closes <u>case file</u> and informs 960.13. Enters data into ALMRS.	10



#### RECREATION AND PUBLIC PURPOSES (R&PP)

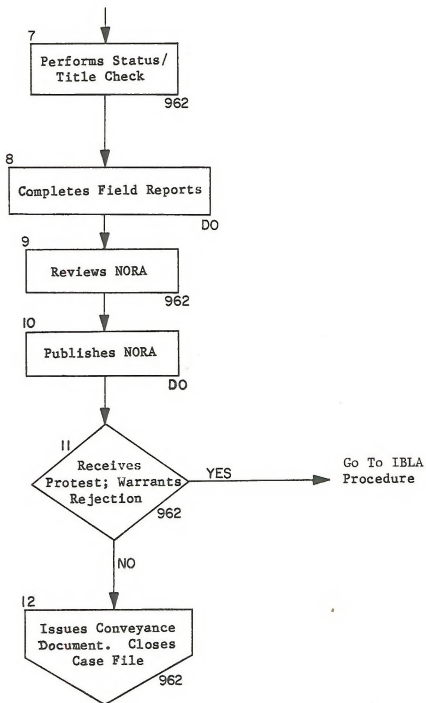
The Recreation and Public Purposes Act (43 U.S.C. 869 et seq) enables public land to be transferred to non-profit groups and local or State government. The transfer contains a stipulation that the land must be used for the intended purpose or the tract reverts to BLM for surface management.

RECREATION AND PUBLIC PURPOSES



RECREATION AND PUBLIC PURPOSES (R&PP)

Step	Office/ Responsible Person	Action	Time to Complete Step (Days)
1	971.44/ Accounts	1. Processes <u>application</u> upon receipt. a. Dates and time-stamps. b. Serializes. c. Prepares <u>accounting advice</u> . d. Assembles in <u>case file</u> and sends to ALMRS staff.	1
2	971.44/ ALMRS Staff	2. Enters <u>application</u> into ALMRS. Generates <u>serial register page</u> and sends <u>case file</u> to 962.13.	1
3	962.13/ Branch Chief	3. Logs in <u>application</u> and assigns to 962.14. Notifies district staff which begins cultural and T/E procedures.	1
4	962.14/Staff Adjudicator	4. Preliminary adjudication: a. Sends letter to applicant acknowledging <u>application</u> . b. Finds that <u>application</u> is complete. (1) If yes, go to 5. (2) If no, requests additional information and go to 4A.	1
4A	Applicant	4A. Corrects <u>application</u> and submits to 962.14.	60
5	962.14/Staff Adjudicator 942/Surveyor	5. Sends <u>case file</u> to 942 who reviews field notes, makes determination of swamp in character and returns <u>case file</u> to 962.14. This step occurs after a pre- liminary status check.	3
6	962.14/Staff Adjudicator	6. Land is encumbered by swamp characteristics. a. If no, go to 7. b. If yes, go to IBLA procedures. c. Pursues swamp selection process with appropriate state officials should IBLA rule in favor of BLM.	1



# RECREATION AND PUBLIC PURPOSES PATENTS (R&PP)

Step	Office/ Responsible Person	Action	Time to Complete Step (Days)
7	962.14/Staff Adjudicator	7. Performs status and title check. a. Notes <u>application on tract books</u> . b. Prepares land status <u>report</u> . c. If tract is not surveyed, go to cadastral survey procedure. d. Completes title check (see title verification procedure). e. Consults with Assistant Solicitor (ESO) as major title conflicts occur. f. Sends <u>case file</u> to DO.	60
8	DO/Staff	8. Completes <u>land report/EA</u> including <u>mineral report</u> , cultural clearance, wildlife clearance and NORA. <u>Sends case file</u> to 962.14.	60
9	962.14/Staff Adjudicator	9. Reviews <u>NORA</u> and returns <u>case file</u> to DO.	10
10	DO/Staff	10. Publishes NORA in <u>Federal Register</u> and local newspapers. After the 45 day comment period, forwards <u>case file</u> to 962.14.	50
11	962.14/Staff Adjudicator	11. Evaluates comments to determine if protests are received. a. If no, go to 12. b. If yes and warrant rejection of application, go to IBLA procedures.	3
12	962.14/Staff Adjudicator	12. Issues conveyance document and notes <u>tract books</u> . Closes <u>case file</u> , enters data into ALMRS and informs 960.13	10

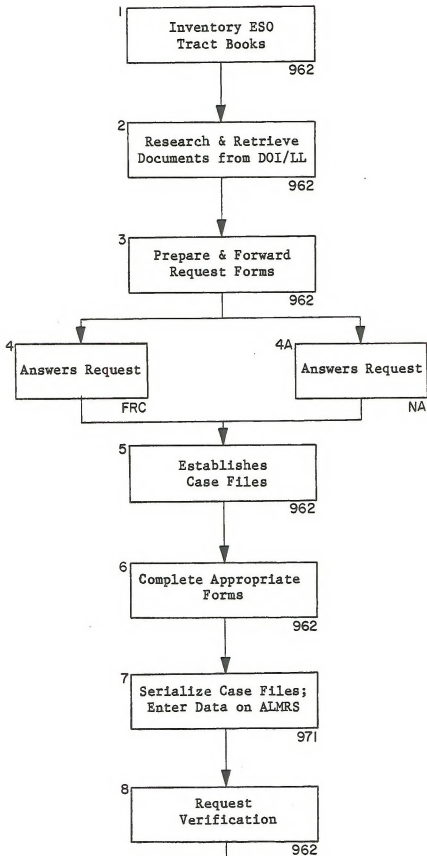




#### WITHDRAWAL REVIEW

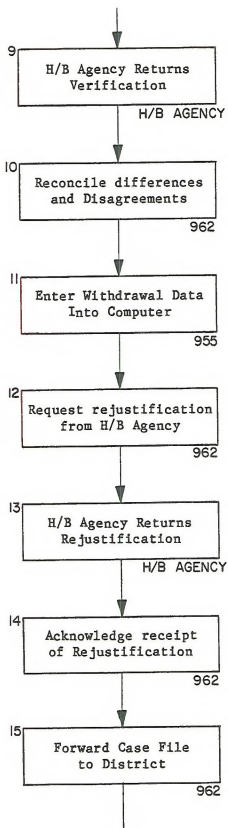
The Withdrawal Review Program was established by Section 204(1) of the Federal Land Policy and Management Act (90 Stat. 2754; 43 U.S.C. 1714). The Eastern States Office will inventory and review all BLM withdrawals and land classifications within their administrative jurisdiction under Section 204(f) of the Federal Land Policy and Management Act and Departmental Manual 603.

WITHDRAWAL REVIEW



# WITHDRAWAL REVIEW

Step	Office/ Responsible Person	Action	Time to Complete Step (Days)
1	962.44/ Realty Specialist	1. Inventories ESO tract books. a. Identifies and records with- drawal documents and/or information. b. Classifies and arranges documents according to location site.	60-180
2	962.44/ Realty Specialist	2. Researches, retrieves, and photocopies documents located in the Department of the Interior Law Library.	30-60
3	962.44/ Realty Specialist	3. Prepares and forwards <u>request forms</u> for retrieval of documents located in the Federal Records Center and National Archives.	30-60
4	Federal Records Center	4. Researches, retrieves, photocopies and forwards documents to ESO. (Con- currently with 4A.)	30-365
4A	National Archives	4A. Researches, retrieves, photocopies and forwards documents to ESO.	30-365
5	962.44/ Realty Specialist	5. Establishes Withdrawal Review <u>case files</u> . a. If additional documents are identi- fied, return to 2 or 3 (as appropriate). b. If not additional documents identi- fied, go to 6.	60-365
6	962.44/ Realty Specialist	6. Completes withdrawal review inventory and withdrawal classification <u>forms</u> .	5-30
7	971.44 Application and Cash Clerks	7. Assigns BLM serial number to withdrawal review <u>case file</u> . a. Enters <u>case file</u> data on the Automatic Lands and Minerals Records System (ALMRS) computer terminal. b. Procures <u>serial register pages</u> from Level 6 and files in <u>serial register</u> books.	5-30
8	962.44/ Realty Specialist	8. Furnishes holding/benefitting agency with withdrawal inventory data for review and request verification infor- mation, including supporting documentation or explanatory data.	5-15



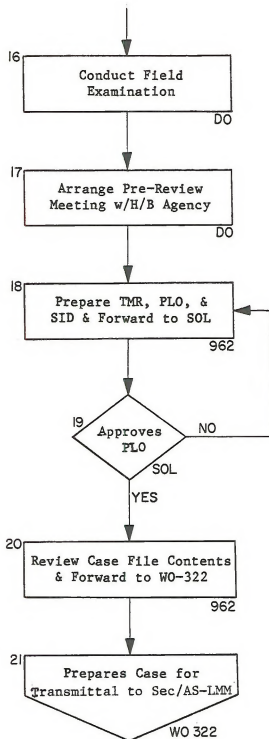
# WITHDRAWAL REVIEW

Step	Office/ Responsible Person	Action	Time to Complete Step (Days)
9	Holding/ Benefitting Agency	9. Forwards <u>verification information</u> including supporting documentation or explanatory data to State Office. a. If holding/benefitting agency concurs, go to 11. b. If holding/benefitting agency does not concur, go to 10.	30-365
10	962.44/ Realty Specialist	10. Reconciles any disagreements by the holding/benefitting agency to the inventory data furnished.	30-365
11	955/Computer Operator	11. Enters <u>withdrawal inventory data</u> on computer terminal.	5-30
12	962.44/ Realty Specialist	12. Contacts holding/benefitting agency and requests submission of rejustification for continuing or extending the withdrawal, submission for continuing segregation from operation of the mining laws, or submission of formal relinquish-ments where possible.	5-15
13	Holding/ Benefitting Agency	13. Forwards rejustification and/or formal relinquishment to the State Office.	30-365
14	962.44/ Realty Specialist	14. Acknowledges receipt of rejustification and/or formal relinquishment from holding/benefitting agency. a. Requests corrective action (i.e. agency omitted to provide adequate rejustification information) and go to 13. b. Requests joint onground inspection and schedules for field examination. c. Publishes <u>notice</u> of proposed continua-tions in <u>Federal Register</u> for public comments (See WO IM No. 83-849).	5-15



# WITHDRAWAL REVIEW

Step	Office/ Responsible Person	Action	Time to Complete Step (Days)
15	962.44/ Realty Specialist	<p>15. Forwards <u>case file</u> to the appropriate District Office.</p> <p>a. If withdrawal is within National Forest boundaries, sends Forest Service <u>copies</u> of rejustifications and/or relinquishments.</p> <p>b. Upon expiration of the period allowed for filing comments or requests for a hearing, forwards <u>copies</u> of any comments or requests to the District Office. A public hearing may be held at the discretion of the State Director, based on public responses, comments, and concerns expressed.</p>	5-15





# WITHDRAWAL REVIEW

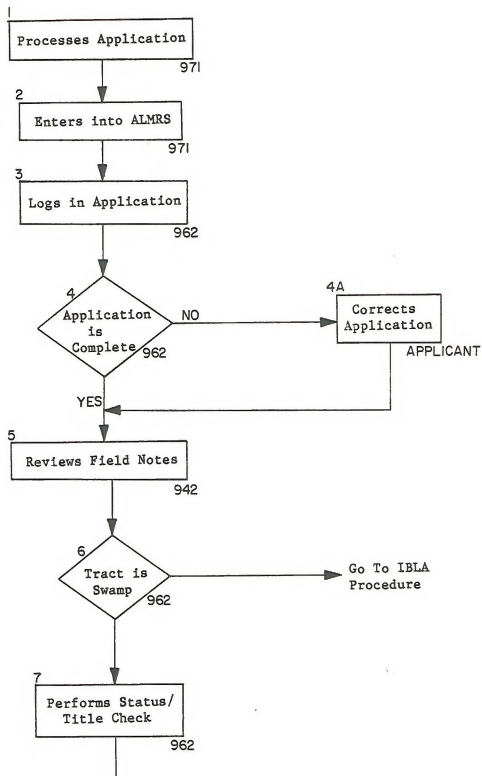
Step	Office/ Responsible Person	Action	Time to Complete Step (Days)
16	District Office	16. Conducts field examination and prepares <u>land report</u> and recommendation. a. If withdrawal is within National Forest boundaries, Forest Service will conduct field examination, prepare land report, and forward <u>copy</u> to District Office for preparation of the recommendation.	5-30
17	962.44 Realty Specialist	17. Contacts holding agency representative to arrange a pre-review meeting to discuss options and preliminary agreement regarding continuation, modification or revocation. If meeting is not practical, initiates review by <u>letter</u> to holding agency. a. Sends holding agency a <u>copy</u> of findings and recommendations, and requests written submission of concurrence or nonconcurrence. b. Negotiates nonconcurrence with holding agency. If an agreement is reached or if all efforts fail, go to 19.	30-60
18	962.34/ Lands Adjudication	18. Prepares <u>Transmittal Memorandum of Recommendations, Public Land Order, Secretarial Issue Document</u> (non-concurrence only), and forwards to Solicitor.	5-60
19	Solicitor	19. Signs off on PLO. a. If PLO is rejected, go to 18. b. If PLO is approved, go to 20.	30-365
20	962.44/ Realty Specialist	20. Reviews <u>case file</u> content for completeness and forwards to WO 322.	30-365
21	WO 322/ Staff	21. Prepares case for transmittal to Secretary AS-LMM.	30-365



#### COLOR-OF-TITLE

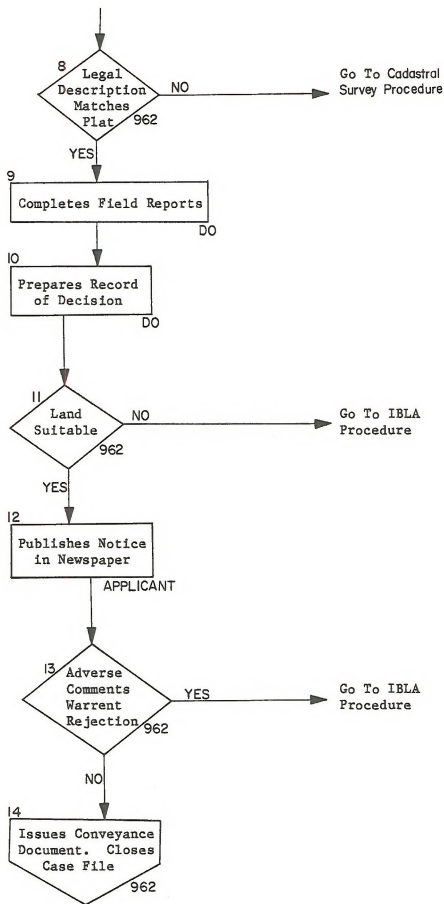
The Color-of-Title Act (45 Stat. 1069) provides procedures to be used when an individual, group, or corporation presents a peaceful, adverse possession claim against public domain land. An application must be filed providing data to support the claim.

COLOR-OF-TITLE



COLOR-OF-TITLE

Step	Office/ Responsible Person	Action	Time to Complete Step (Days)
1	971.44/ Accounts	1. Processes <u>application</u> upon receipt. a. Dates and time-stamps. b. Serializes. c. Prepares <u>accounting advice</u> . d. Assembles in <u>case file</u> and sends to ALMRS staff.	1
2	971.44/ ALMRS staff	2. Enters <u>application</u> into ALMRS. Generates <u>serial register page</u> and sends <u>case file</u> to 962.13.	1
3	962.13/ Branch Chief	3. Logs in <u>application</u> and assigns to 962.14.	1
4	962.14/Staff Adjudicator	4. Preliminary adjudication: a. Sends letter to applicant acknowledging <u>application</u> . b. Finds that <u>application</u> is complete. (1) If yes, go to 5. (2) If no, requests additional information and go to 4A.	1
4A	Applicant	4A. Corrects <u>application</u> and submits to 962.14.	60
5	962.14/Staff Adjudicator 942/Surveyor	5. Sends <u>case file</u> to 942, who reviews field notes, makes determinations of swamp in character and returns <u>case file</u> to 962.14. This step occurs after a preliminary status check.	3
6	962.14/Staff Adjudicator	6. Land is encumbered by swamp characteristics. a. If no, go to 7. b. If yes, go to IBLA procedures. c. Pursues swamp selection process with appropriate state officials should IBLA rule in favor of BLM.	1
7	962.14/Staff Adjudicator	7. Performs status and title check. a. Notes <u>application</u> on <u>tract books</u> . b. Prepares land status <u>report</u> . c. Completes title check(see title verification procedure). d. Consults with Assistant Solicitor (ESO) as major title conflicts occur.	3



COLOR-OF-TITLE

Step	Office/ Responsible Person	Action	Time to Complete Step (Days)
8	962.14/Staff Adjudicator	8. Reviews <u>application</u> and determines if legal description correlates with existing cadastral survey plats. a. If yes, sends <u>case</u> to D0 and go to 9. b. If no, go to survey procedure. Applicant reimburses BLM for survey costs, (or) applicant forms trust agreement with landowners.	3
9	D0/Staff	9. Completes <u>land report/EA</u> including <u>appraisal report</u> , <u>mineral report</u> , cultural clearance, and wildlife clearance. For Class I C/T, prepare categorical exclusion <u>review</u> in lieu of EA.	30
10	D0/Staff	10. Prepares <u>record of decision</u> and forwards <u>case file</u> to 962.14.	3
11	962.14/Staff Adjudicator 962.44/Review Appraiser	11. Reviews case and appraisal report. Notes DM's decision on whether land is suitable for C/T conveyance. a. If yes, sends letter to applicant, requesting publication in local newspaper and go to 12. b. If no, go to IBLA procedure.	3
12	Applicant	12. Publishes <u>notice</u> in local newspaper to solicit public comments relative to proposed conveyance.	60
13	962.14/Staff Adjudicator	13. Reviews public comments to determine if they warrant rejection of application. a. If yes, go to IBLA procedure. b. If no, go to 14.	4
14	962.14/Staff Adjudicator	14. Issues <u>conveyance documents</u> and notes <u>tract books</u> and <u>patent records</u> . Closes <u>case file</u> , enters data into ALMRS and informs 960.13.	4

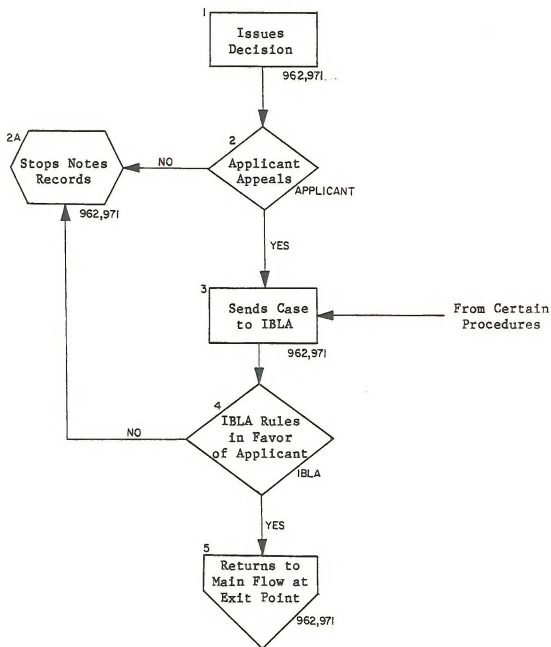




#### INTERIOR BOARD OF LAND APPEALS (IBLA) PROCEDURE

There are special procedural rules applicable to appeals from decisions of Bureau of Land Management officers. The affected party appeals to the Interior Board of Land Appeals (IBLA), Office of Hearings and Appeals. Consult Bureau Manual 1840 for additional details.

IBLA PROCEDURE



# INTERIOR BOARD OF LAND APPEALS (IBLA) PROCEDURE

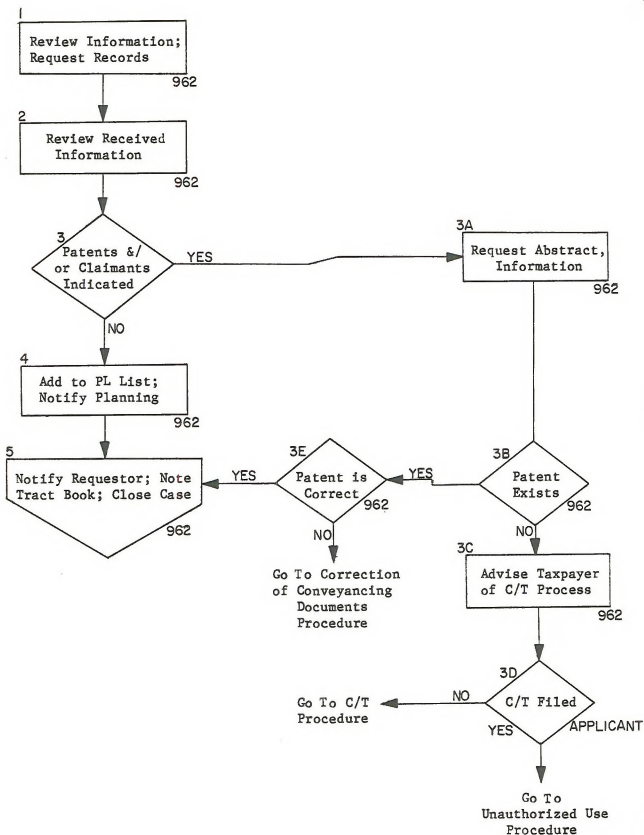
Step	Office/ Responsible Person	Action	Time to Complete Step (Days)
1	962, 971/ Staff Adjudicator	1. Issues decision rejecting <u>application</u> . a. Assistant Solicitor (ESO) reviews decision and surnames prior to mailing. b. Sends decision to applicant via certified mail. c. If 1 and 2 are completed in the the original procedures, go to 3.	2
2	Applicant	2. Applicant appeals within 30 days of receipt of decision. a. If no, go to 2A. Consult original procedures, if applicable. b. If yes, files <u>notice</u> with 962 or 971. See form 1842-1 for additional details. Sends copy of appeal to Assistant Solicitor (ESO). Go to 3.	
2A	962, 971/ Staff Adjudicator	2A. Stops case processing, notes <u>records</u> and closes <u>case file</u> .	
3	962, 971/ Staff Adjudicator	3. Sends <u>case file</u> to IBLA, and sends dummy <u>file</u> to Assistant Solicitor(ESO). Removes unofficial notes from file.	10
4	IBLA	4. Evaluates case based on applicant's reasons for appeal and <u>case file</u> information. IBLA rules in favor of appellant. a. If yes, return to original procedures and continue processing. b. If no, go to 2A.	180-360
5	962, 971/ Staff Adjudicator	5. Returns to original procedures at exit point.	



#### TITLE VERIFICATION

The title verification procedure represents an internal process developed for purposes of identifying potential adverse claims or evidence of title severance from the United States when the tract book records fail to indicate the issuance of a patent for a particular tract. Said tracts are usually identified as a result of requests for patent records made by the public.

TITLE VERIFICATION



## TITLE VERIFICATION

Step	Office/ Responsible Person	Action	Time to Complete Step (Days)
1	962.14/Staff Adjudicator	1. Reviews information and ESO records; tract book, patents, survey plats. Requests appropriate information from: a. Archives (NARS). b. Archives (FRC). c. Cartographic Archives. d. City/County Recorder. e. Local tax assessor. f. State Archives/Land Office. g. Other sources as appropriate.	1-5
2	962.14/Staff Adjudicator	2. Receives and reviews requested information.	30-60
3	962.14/Staff Adjudicator	3. Determines if a patent or claimant is indicated. a. If yes, go to 3A. b. If no, go to 4.	1-5
3A.	962.14/Staff Adjudicator	3A. Writes tax payer/requestor. a. Requests additional needed information. b. Requests chain/abstract of title.	1-5
3B.	962.14/Staff Adjudicator	3B. Receives additional information. Determines if patent exists. a. If yes, go to 3E. b. If no, go to 3C.	14-30
3C.	962.14/Staff Adjudicator	3C. Advises tax payer that no patent exists. Sends Circular 2293 and Color-of-Title information.	5
3D.	Applicant	3D. Files Color-of-Title application . a. If yes, go to Color-of-Title Procedure. b. If no, go to Unauthorized Use Procedure.	30-60
3E.	962.14/Staff Adjudicator	3E. Determines if patent is correct. a. If yes, go to 5. b. If no, go to Correction of Conveyancing Documents Procedure.	1-5
4	962.14/Staff Adjudicator	4. Notifies Planning. Add to P.L. list.	1-3





## TITLE VERIFICATION

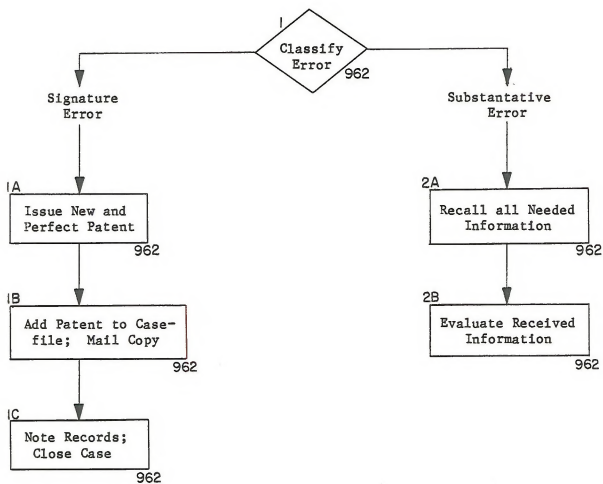
<u>Step</u>	<u>Office/ Responsible Person</u>	<u>Action</u>	<u>Time to Complete Step (Days)</u>
5	962.24/Staff Adjudicator	5. Notifies requestor. a. Has patent certified. b. Sends letter and copy of patent. c. Informs Patent Officer to note tract book. d. Closes case.	5



#### CORRECTION OF CONVEYANCING DOCUMENTS

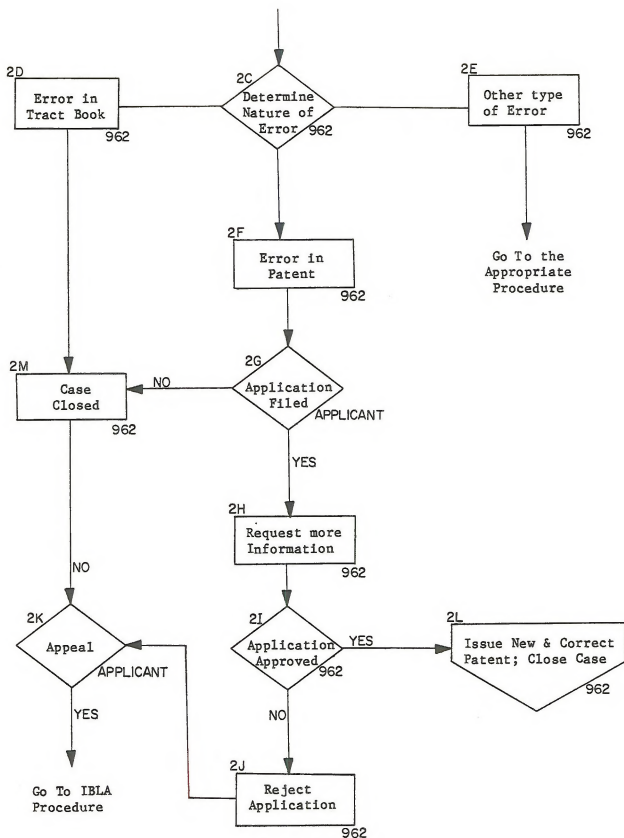
Section 316 of the Federal Land Policy Act of 1976 authorizes the Secretary of the Interior to correct conveyancing documents that contain substantive and/or technical errors. The correction may be made as a result of an application filed by the patentee or his successor in interest, or by Bureau motion with the permission of the patentee or his successor.

CORRECTION OF CONVEYANCING DOCUMENTS



## CORRECTION OF CONVEYANCING DOCUMENTS

Step	Office/ Responsible Person	Action	Time to Complete Step (Days)
1	962.14/Staff Adjudicator	1. Classifies record error. a. If signature error, go to 1A. b. If substantive error, go to 2A.	1-N
1A	962.14/Staff Adjudicator	1A. Issues new and perfect patent on bureau motion; informs requestor.	1-N
1B	962.14/Staff Adjudicator	1B. Adds patent to official records. a. Sends original to Archives to be placed in original casefile. b. Sends certified copy to requestor. c. Places copy in patent record at ESO.	1-N
1C	962.14/Staff Adjudicator	1C. Informs Patent Officer to note records and closes file.	1-N
2A	962.14/Staff Adjudicator	2A. Recalls original case file from Archives, Cartographics, state and local records, and Federal Records Center.	1-N
2B	962.14/Staff Adjudicator	2B. ESO receives and evaluates information.	1-N



## CORRECTION OF CONVEYANCING DOCUMENTS

Step	Office/ Responsible Person	Action	Time to Complete Step (Days)
2C	962.14/Staff Adjudicator	2C. Determines nature of error, and goes to 2D, 2E, or 2F, as appropriate.	1-N
2D	962.14/Staff Adjudicator	2D. If error in Tract Book. a. Has Patent Officer make notation. b. Notifies requestor. c. Mails copy of patent. d. Go to 2M.	1-N
2E	962.14/Staff Adjudicator	2E. If other types of errors, go to Color-of-Title Procedure.	1-N
2F	962.14/Staff Adjudicator	2F. If error in patent. a. Informs requestor. b. Requests additional information (see 2A).	1-N
2G	Applicant	2G. Files application. a. If no, go to 2M. b. If yes, go to 2H.	1-N
2H	962.14/Staff Adjudicator	2H. Requests additional information if necessary. a. Researches conflicts. b. Resolves disputes. c. Adjudicates case.	1-N
2I	962.14/Staff Adjudicator	2I. Approves application. a. If no, go to 2J. b. If yes, go to 2L.	2
2J	962.14/Staff Adjudicator	2J. Rejects application and notifies applicant.	1
2K.	Applicant	2K. Files appeal. a. If yes, go to IBLA Procedure. b. If no, closes case and go to 2M.	1-45
2L.	962.14/Staff Adjudicator	2L. Approves application. a. Issues new and correct patent. b. Sends original to Archives. c. Closes case.	1-N
2M	962.14/Staff Adjudicator	2M. Closes case.	1

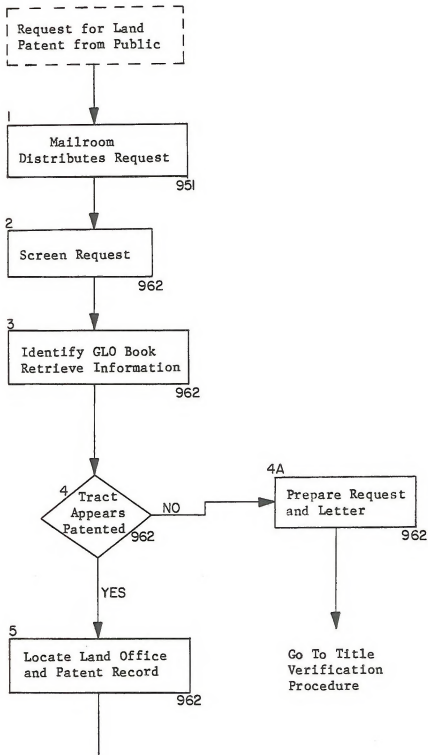




#### PROCESSING LAND PATENT REQUESTS

Requests for copies of land patents generate mainly from the public who wish to ascertain how and in what manner title to Public Domain Lands was conveyed into private ownership. This service is provided to the public in accordance with policy established by the Eastern States Office.

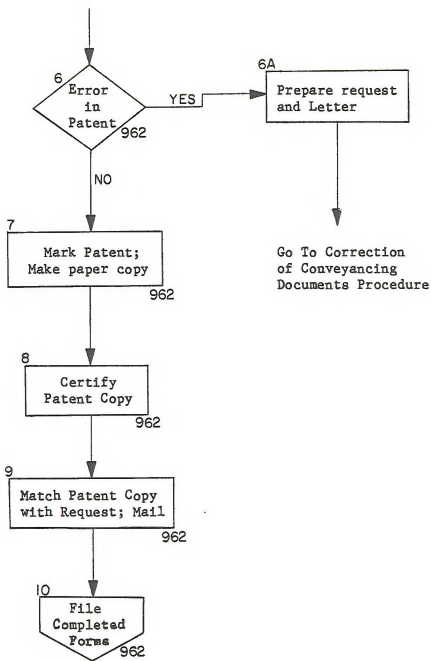
PROCESSING LAND PATENT REQUESTS



# PROCESSING LAND PATENT REQUESTS

Step	Office/ Responsible Person	Action	Time to Complete Step (Days)
1	951/Mail Room Clerk	1. Sorts and distributes <u>requests</u> through regular daily mail distribution. a. Requests with checks, cash, or money order go directly to accounts (971.44)	*
2	962.44/Legal Clerk	2. Requestor has ES account. a. If yes, go to 971.44 for recordation of account balance, and returns for processing. b. If no, go to 3.	*
3	962.44/Legal Clerk	3. Identifies G.L.O. book using tract index/atlas. a. Locates G.L.O. tract book and entry. (Utilizes computer if available). b. Retrieves pertinent information necessary to locate patent, such as certificate number, date of sale and name of patentee.	*
4	962.44/Legal Clerk	4. Tract appears patented. a. If yes, go to 5. b. If no, go to 4A.	*
4A	962.44/Legal Clerk	4A. Prepares search <u>request and letter</u> , transfers packet to 962.44, and go to Title Verification Procedure.	*
5	962.44/Legal Clerk	5. Locates land office using land office index and locates patent record by certificate number.	*

\* 3 days are required to complete all the steps



# PROCESSING LAND PATENT REQUESTS

Step	Office/ Responsible Person	Action	Time to Complete Step (Days)
6	962.44/Legal Clerk	6. Verifies patent for correctness. a. If no error, go to 7. b. If error exists, go to 6A.	*
6A	962.44/Legal Clerk	6A. Prepares search <u>request and letter</u> and transfers to 962.14. Go to Correction of Conveyancing Documents Procedure.	*
7	962.44/Legal Clerk	7. Marks patent in volume and makes photo copy.	*
8	962.44/ Section Chief	8. Certifies copy of patent.	*
9	962.44/Legal Clerk	9. Matches patent copy with request and mails to requestor.	*
10	962.44/Clerk (Typist)	10. Files completed forms.	*

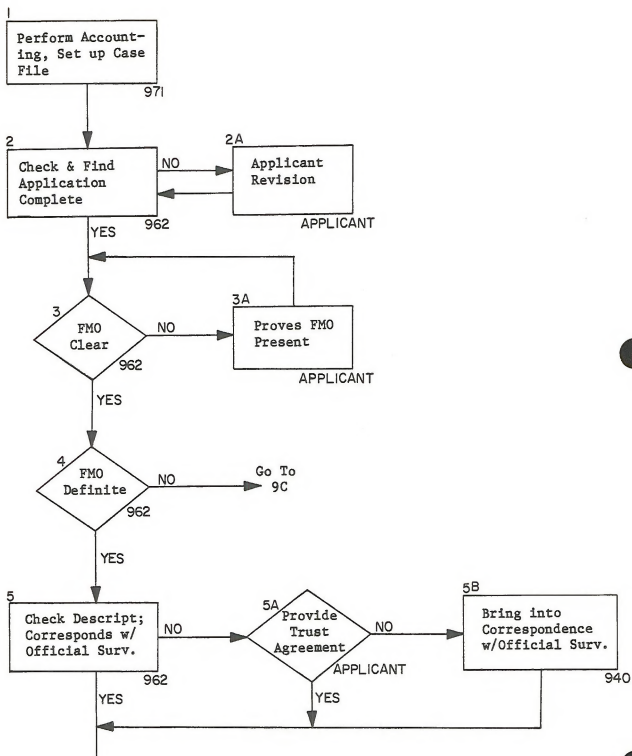
\* 3 days are required to complete all the steps



#### SECTION "209" (FLPMA) MINERAL CONVEYANCE APPLICATIONS

"209" Applications are initiated by private citizens who wish to acquire the federally owned mineral rights under their property. These applications are filed under Section 209 of the Federal Land Policy and Management Act (FLPMA) of 1976 (43 U.S.C. 1719). These procedures are necessary to assure that the Government receives fair market value for the mineral rights applied for under this section of FLPMA. The applicant must bear all costs incurred in these procedures.

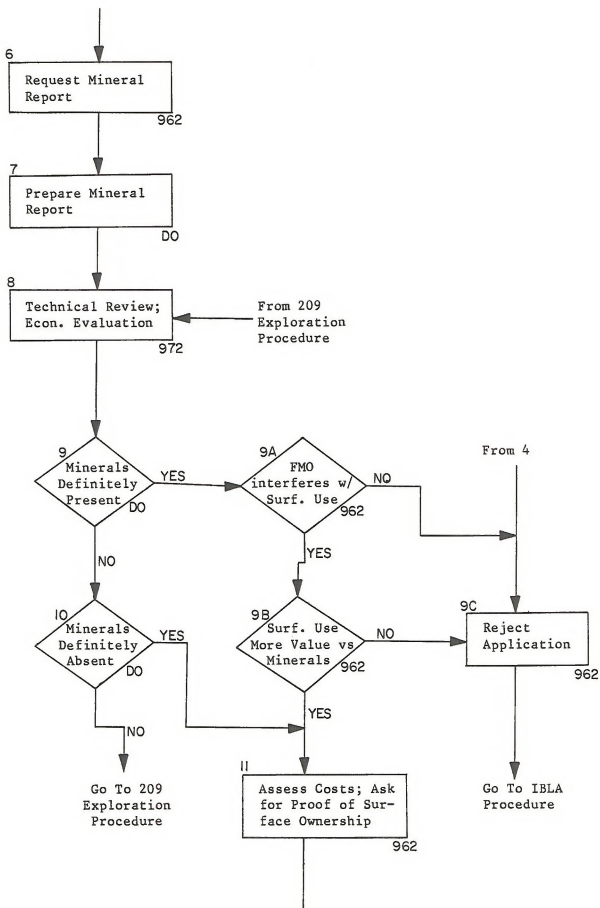
"209" APPLICATIONS





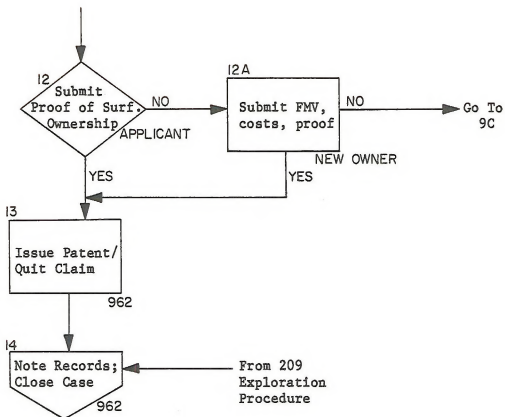
"209" APPLICATIONS

Step	Office Responsible Person	Action	Time to Complete Step (Days)
1	971.44/ Accounts	1. Processes <u>application</u> upon receipt. a. Dates and time-stamps. b. Serializes. c. Prepares accounting advice. d. Enters into ALMRS. e. Sends case file to 962.14.	1
2	962.14/Staff Adjudicator	2. Application is complete and \$500 deposit is submitted. a. If yes, go to 3. b. If no, go to 2A.	1-3
2A	Applicant	2A. Applicant corrects the defects(s). Return to 2.	30-60
3	962.14/Staff Adjudicator	3. Government's mineral ownership is clear. a. If no, go to 3A. b. If yes, go to 4.	1
3A	Applicant	3A. Applicant offers proof of Government's mineral ownership. Return to 3.	30-60
4	962.14/Staff Adjudicator	4. Government owns mineral rights. a. If yes, go to 5. b. If no, go to 9C.	-
5	962.14/Staff Adjudicator	5. Legal description corresponds with official survey. a. If yes, go to 6. b. If no, go to 5A.	1
5A	Applicant	5A. Trust Agreement: This step applies only when a section of land which agrees with the official survey has been subdivided, or other- wise does not conform to the original cadastral survey. The owners of all the parts must join in the application by entering into a trust agreement. a. If yes, go to 6. b. If no, go to 5B.	30-60
5B	940/ Surveyor	5B. Brings land description that applicant provided into compliance with the official survey. Delays step, if significant survey costs are involved, until geologist completes mineral report.	180-270



# "209" APPLICATIONS

Step	Office Responsible Person	Action	Time to Complete Step (Days)
6	962.14/Staff Adjudicator	6. Requests a mineral report to determine the value of the mineral estate.	1
7	DO/ Geologists	7. Prepares mineral report.	5-15
8	972/Geologist, Industrial	8. Reviews mineral report. If there are economically valuable minerals, Industrial Economist determines their fair market value.	5-15
9	DO/ Geologist	9. Determines if economic minerals definitely present. a. If yes, go to 9A. b. If no, go to 10.	5-15
9A	962.14/Staff Adjudicator	9A. Federal mineral development interferes with the surface use. a. If no, go to 9C. b. If yes, go to 9B.	1
9B	962.14/Staff Adjudicator	9B. Surface use is more valuable than the potential mineral value. a. If yes, go to 11. b. If no, go to 9C.	1
9C	962.14/Staff Adjudicator	9C. Go to IBLA Procedure.	1-3
10	DO/ Geologist	10. Economic minerals are definitely absent. a. If yes, go to 11. b. If there is still doubt, go to step 1 of exploration procedure.	5-15
11	962.14/Staff Adjudicator	11. Assesses costs of processing application and fair market value (if any) of the minerals. Calls DSC to verify charges to project code. Asks applicant for proof of surface ownership.	1-3



# "209" APPLICATIONS

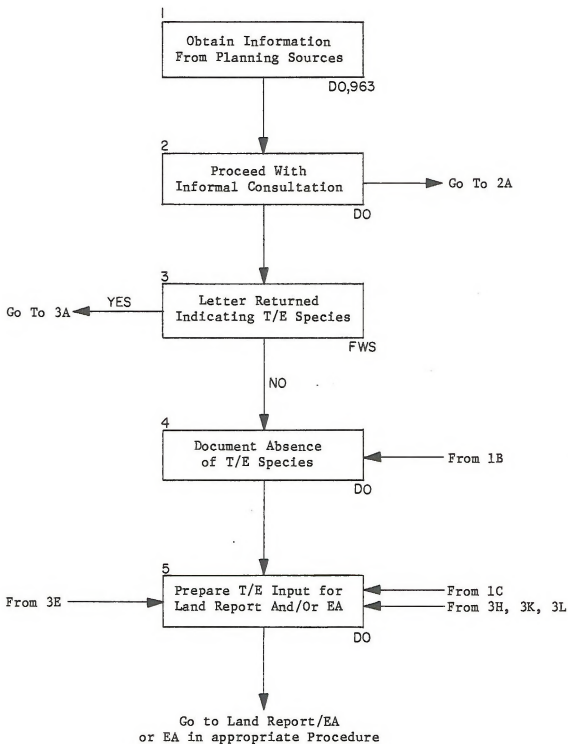
Step	Office Responsible Person	Action	Time to Complete Step (Days)
12	Applicant	12. Applicant submits <u>proof</u> of surface ownership, processing costs and fair market value payment. a. If no, go to 12A. b. If yes, go to 13.	30-60
12A	New Owner	12A. New surface owner continues application. a. If yes, go to 13. b. If no, go to 9C.	
13	962.14/Staff Adjudicator	13. Issues <u>Patent/Quitclaim</u> .	1-3
14	962.14/Staff Adjudicator	14. Notes <u>records</u> and closes case.	1-3



#### THREATENED AND ENDANGERED SPECIES CLEARANCE

T & E clearances are required to ensure that actions taken by the Eastern States Office are in compliance with the Endangered Species Act of 1973, as amended. Primary actions that require clearances are mineral leasing and lands actions.

T & E CLEARANCE PROCEDURE - MAIN FLOW

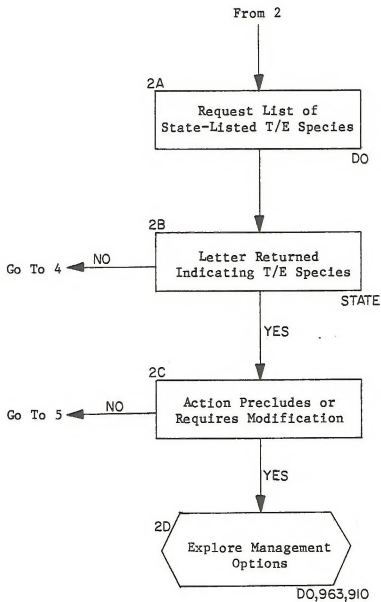




# T & E CLEARANCE PROCEDURES - MAIN FLOW

Step	Office/ Responsible Person	Action	Time to Complete Step (Days)
1	DO or 963/ Wildlife Biologist	1. Obtains T/E information available. a. Runs "Procedures" on *Computer for T/E species/habitat in state(s) involved, and b. uses information available (e.g., <u>MUP, EAs, Mineral and Land Reports</u> ).	5
2	DO/Wildlife Biologist	2. Initiates Informal Consultation with FWS by <u>letter</u> or telephone call. If telephone, documents by <u>telephone confirmation</u> . Proceed with 2A simultaneously with 3, if state(s) involved has T/E law.	3
3	FWS	3. Submits <u>letter</u> documenting Federally listed T/E species and/or Critical Habitat, if any, known to occur on or in vicinity of tract. a. If T/E species present, proceed to Step 3A. b. If no T/E species present, proceed to 4.	30
4	DO/Wildlife Biologist	4. Documents absence of T/E species in <u>memo</u> to District Manager.	
5	DO/Wildlife Biologist	5. Prepares T/E <u>information</u> for the document (e.g. Land Report and/or EA) required by the proposed action. Go to the Land Report/EA or EA in the work flow.	1-30

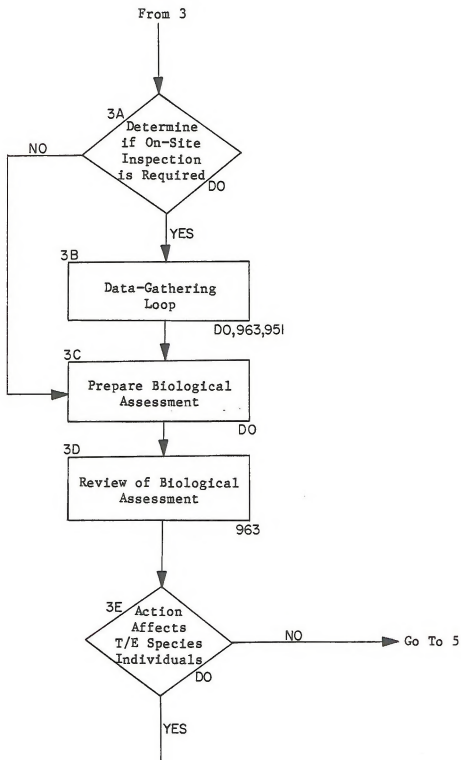
T & E CLEARANCE PROCEDURE - STATE AGENCY COORDINATION



# T & E CLEARANCE PROCEDURE - STATE AGENCY COORDINATION

Step	Office/ Responsible Person	Action	Time to Complete Step (Days)
2A	DO/Wildlife Biologist	2A. Sends <u>letter</u> to state agency requesting state listed T/E species on or in vicinity of tract.	5
2B	State Agency	2B. Responds by <u>letter</u> documenting state listed T/E species known to occur on or in vicinity of tract, if any. a. If T/E species present, proceed to 2C. b. If no T/E species present, proceed to 4.	30
2C	DO/Wildlife Biologist	2C. Determines if state law precludes or necessitates modification of planned action. a. If yes, proceed to 2D. b. If no, proceed to 5.	
2D	DO/Wildlife Biologist, District Manager; 963/Wildlife Biologist; 910/SD	2D. Explores Management Options. a. Develop management options for District Manager including, but not limited to, cancelling or modifying action. b. <u>Document</u> the decision. c. Return to work flow at appropriate point.	

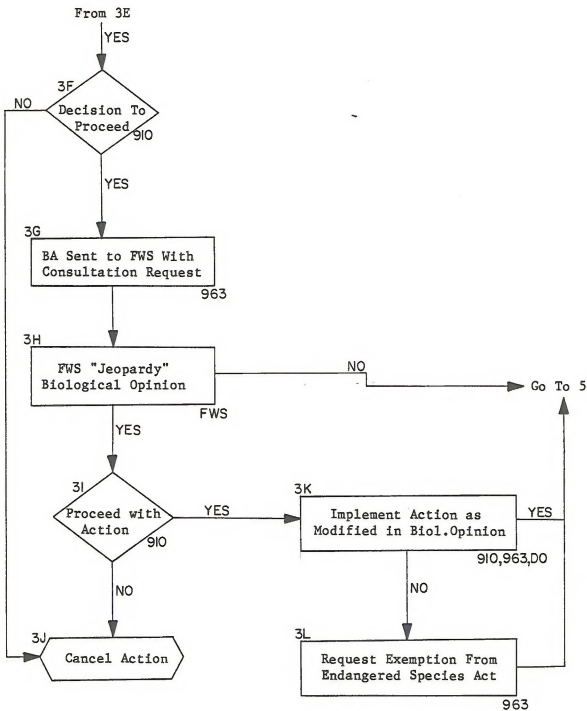
T & E CLEARANCE PROCEDURE - COORDINATION WITH FEDERAL  
AGENCIES & BIOLOGICAL ASSESSMENT



T & E CLEARANCE PROCEDURE - COORDINATION WITH FEDERAL AGENCIES  
AND BIOLOGICAL ASSESSMENT

Step	Office/ Responsible Person	Action	Time to Complete Step (Days)
3A	DO/Wildlife Biologist	3A. Determines if on-site inspection is required. a. If yes, proceed to 3B. b. If no, proceed to 3C.	
3B	DO/963/951	3B. Begins data gathering process. Apply to work flow, as appropriate.	
3C	DO/Wildlife Biologist	3C. Prepares <u>Biological Assessment</u> . a. Use guidance provided in Instruction Memorandum No. ES-83-58. b. Use data on hand and any additional data gathered in 3B. c. Contact species experts. d. Write <u>Biological Assessment</u> . e. Forward to ES 963.13 for review.	30-90
3D	963/Wildlife Biologist	3D. Reviews the <u>Biological Assessment</u> for technical adequacy. a. If <u>Biological Assessment</u> is adequate, proceed to 3E. b. If <u>Biological Assessment</u> is not adequate, provide DO with technical assistance to ensure that assessment meets guidelines.	5-10
3E	DO/Wildlife Biologist	3E. Determines if the action in the <u>Biological Assessment</u> affects individuals of T/E species. a. If yes, brief Branch Chief and SD on findings and proceed to 3F. b. If no, proceed to 5.	

T & E CLEARANCE PROCEDURE - COORDINATION WITH FEDERAL  
AGENCIES & FORMAL CONSULTATION



T&E CLEARANCE PROCEDURE - COORDINATION WITH FEDERAL AGENCIES  
AND FORMAL CONSULTATION

Step	Office/ Responsible Person	Action	Time to Complete Step (Days)
3F	910/SD	3F. Decides whether to proceed with action. a. If yes, proceed to 3G. b. If no, proceed to 3J.	
3G	963/Wildlife Biologist	3G. Sends <u>Biological Assessment to Regional Director FWS with request</u> for formal consultation.	
3H	FWS	3H. Render <u>Biological Opinion</u> with finding of Jeopardy or No Jeopardy. a. Wildlife Biologist briefs Branch Chief and SD on <u>Opinion</u> . b. If Jeopardy, proceed to 3I. c. If No Jeopardy, proceed to 5.	9
3I	910/SD	3I. Decides whether to proceed with action. a. If yes, proceed to 3K. b. If no, proceed to 3J.	3
3J	910/SD	3J. Cancels action.	3
3K	910, 963/DO SD, Wildlife Biologist, District Manager	3K. Decides to implement action as modified in Biological Opinion. a. If yes, SO Wildlife Biologist works with DO to implement. Proceed to 5. b. If no, proceed to 3L.	
3L	963/Wildlife Biologist	3L. Prepares Letter for SD signature Endangered Species Act. Return to 5.	

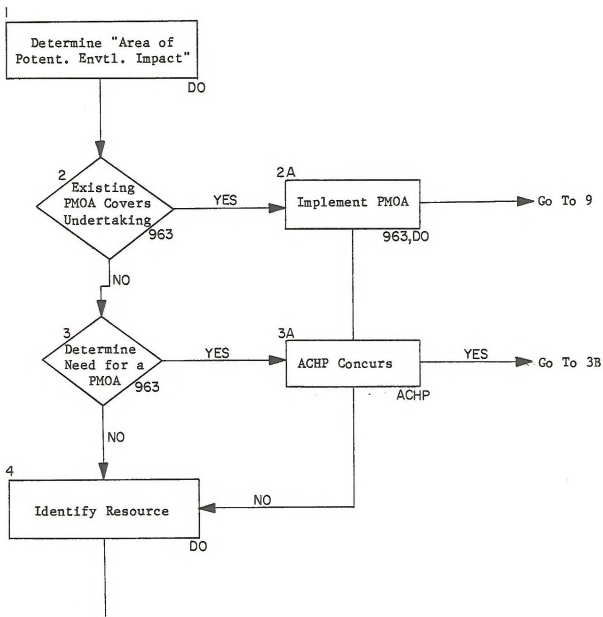




#### CULTURAL RESOURCE CLEARANCE

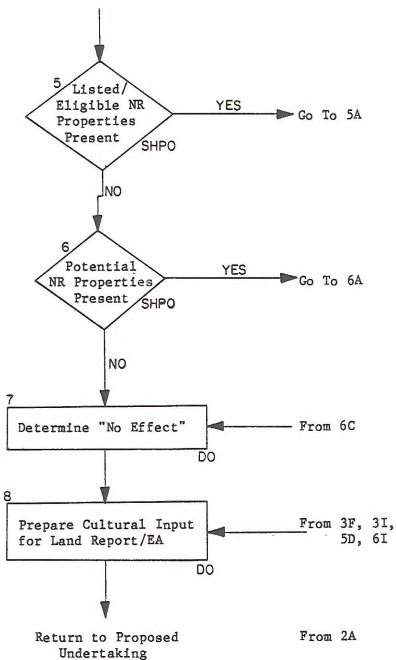
Cultural resource clearances are required to ensure that actions taken by the Eastern States Office are in compliance with the National Historic Preservation Act of 1966, as amended. The Advisory Council on Historic Preservation's 36 CFR 800 procedures details the steps which are binding on all Federal agencies for any Federal or federally licensed undertaking. In Eastern States, this includes actions involving surface or FMO lands which could potentially affect a listed or eligible Register of Historic Place property.

CULTURAL RESOURCE CLEARANCE - MAIN FLOW



## CULTURAL RESOURCE CLEARANCE PROCEDURES - MAIN FLOW

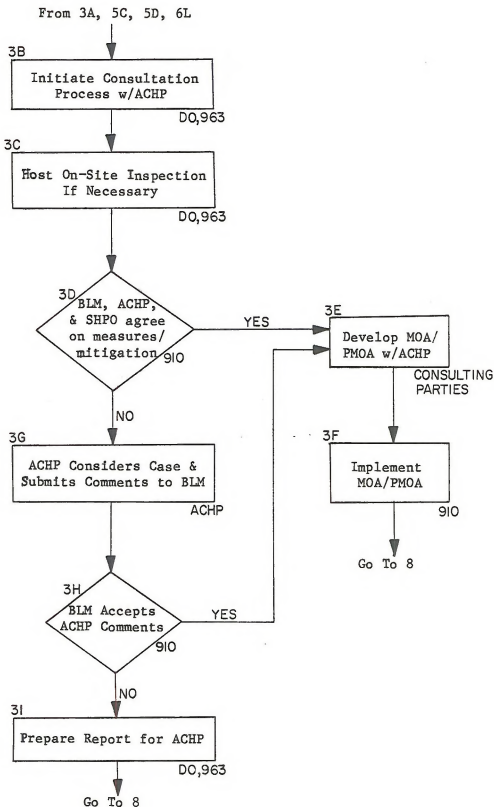
Step	Office/ Responsible Person	Action	Time to Complete Step (Days)
1	DO/Cultural Resource Specialist	1. Determines the potential environmental impact of the proposed action.	1
2	963/Cultural Resource Specialist	2. Determines whether the proposed action is covered by an existing PMOA (e.g. Federal Coal Management Program). a. If PMOA exists, proceed to 2A. b. If no PMOA exists, proceed to 3.	1
2A	963 or DO/ Cultural Resource Specialist	2A. Implements necessary steps including mitigation as appropriate. a. Go to 9.	30-N
3	963/Cultural Resource Specialist	3. Determines whether the action (e.g. public sales) requires multiple individual requests for Council comments under 36 CFR 800 regulations and whether a PMOA would expedite the review process. a. If yes, initiate consultations with ACHP by providing necessary documentation and proceed to 3A. b. If no, proceed to 4.	5
3A	963/Cultural Resource Specialist	3A. Decides in consultation with ACHP whether development of PMOA is appropriate. a. If appropriate, proceed to 3B. b. If inappropriate, proceed to 4.	5
4	DO/Cultural Resource Specialist	4. Identifies cultural properties on or eligible for the National Register (NR) in the impact area in consultation w/SHPO. a. Consult the published "National Register of Historic Places." b. Consult SHPO for eligible NR properties. c. Request SHPO recommendation on need for on-site inspection by <u>letter</u> .	7



## CULTURAL RESOURCE CLEARANCE PROCEDURES - MAIN FLOW

Step	Office/ Responsible Person	Action	Time to Complete Step (Days)
5	SHPO	5. Identifies by <u>letter</u> the existence of listed or determined eligible NR properties within area of impact. a. If no listed or determined eligible NR properties are present, proceed to 6. b. If listed or determined eligible NR properties are present, proceed to 5A.	7
6	963 or DO/ Cultural Resource Specialist	6. Determines, in consultation with SHPO, the potential for NR eligible properties occurring within the area of impact. a. If the SHPO <u>letter</u> identifies no NR listed/determined eligible sites and there is no or very low potential for NR eligible properties occurring in the area of impact, proceed to 7. b. If the SHPO <u>letter</u> indicates there are no NR listed/determined eligible sites <u>but</u> there is a high or moderate potential for such sites, identify actions necessary to locate the sites. Proceed to 6A.	30
7	DO/Cultural Resource Specialist	7. Applies criteria of effect in consultation with SHPO and "no effect" is determined. Document "no effect" determination with same <u>letter</u> as 6.	1
8	963 & DO/ Cultural Resource Specialist	8. Prepare Cultural Resource <u>information</u> for the document (e.g. Land Report and/or EA) required by the proposed action. This information is prepared by the Cultural Resources Specialist. a. Return to proposed undertaking, i.e., go to Land Report/EA in the appropriate work flow (e.g. public sales).	1

CULTURAL RESOURCE CLEARANCE - CONSULTATION WITH ACHP



## CULTURAL RESOURCE CLEARANCE PROCEDURES - CONSULTATION WITH ACHP

Step	Office/ Responsible Person	Action	Time to Complete Step (Days)
3B	DO & 963/ Cultural Resource Specialist	<p>3B. Consults with ACHP and other affected parties.</p> <p>a. Consultation occurs when an agency makes a determination of adverse effect or when either the SHPO or the ACHP objects to a determination of no adverse effect.</p> <p>b. The <u>preliminary case report</u> prepared by the agency is the basis for the consultation process, which is not initiated until one has been received by the Council.</p> <p>c. A <u>draft EIS</u> may serve as Preliminary Case Report for programmatic actions.</p>	30-N
3C	DO & 963/ Cultural Resource Specialist	<p>3C. Visits the site, if necessary, or consults by phone. In complex or controversial cases, the consulting parties meet at the site to discuss alternatives and mitigating measures, after which ACHP may conduct a public information meeting.</p>	3
3D	Consulting Parties	<p>3D. Determine whether there is agreement on measures to avoid or mitigate adverse effect of an undertaking on listed or eligible NR properties.</p> <p>a. If there is agreement, proceed to 3E.</p> <p>b. If there is no agreement, proceed to 3G.</p>	3
3E	Consulting Parties	<p>3E. Subscribe to a <u>memorandum of agreement</u> or <u>PMOA</u> containing stipulations that specify how the proposed action will be carried out. This MOA is signed by the ACHP's Executive Director, the representative of the undertaking agency, and the SHPO. Other involved parties may sign in concurrence. Ratification by the Chairman on behalf of the full Council completes the process.</p>	30-60

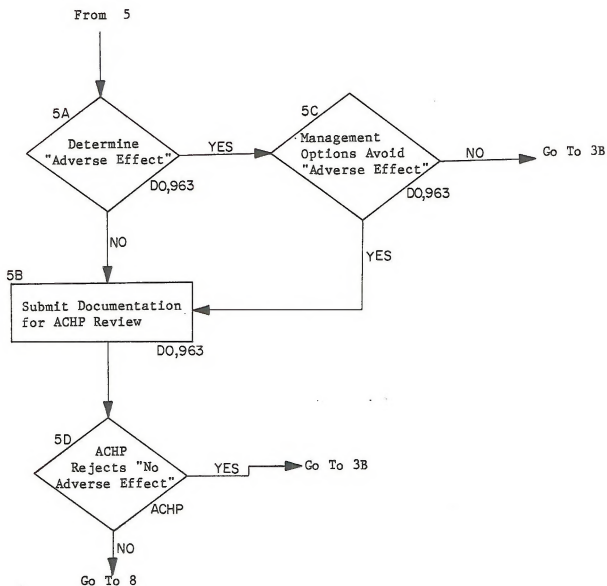




## CULTURAL RESOURCE CLEARANCE PROCEDURES - CONSULTATION WITH ACHP

Step	Office/ Responsible Person	Action	Time to Complete Step (Days)
3F	DO/SD	3F. Implement MOA/PMOA and proceed to 8. Failure to carry-out the stipulations of an MOA/PMOA requires a signatory agency to go back to the ACHP for comment.	30-N
3G	Executive Director/ACHP	3G. If the consulting parties are unable to agree and an MOA/PMOA becomes unattainable, notifies within 15 days the ACHP Chairman. Chairman may refer to full Council, refer to panel of five Council members or decline to refer to Council or panel.	15-N
3H	910/SD	3H. Determines whether to abide by the Council's comments. a. If yes, return to 3E. b. If no, proceed to 3I. The undertaking agency is required by law to take into account the ACHP's comment, but not required to abide by it.	5-N
3I	DO & 963/ Cultural Resource Specialist	3I. Advises ACHP by letter or telephone of decision not to accept comment. ACHP Chairman may decide to have the case presented to the full Council, which must be done within 30 days.	30

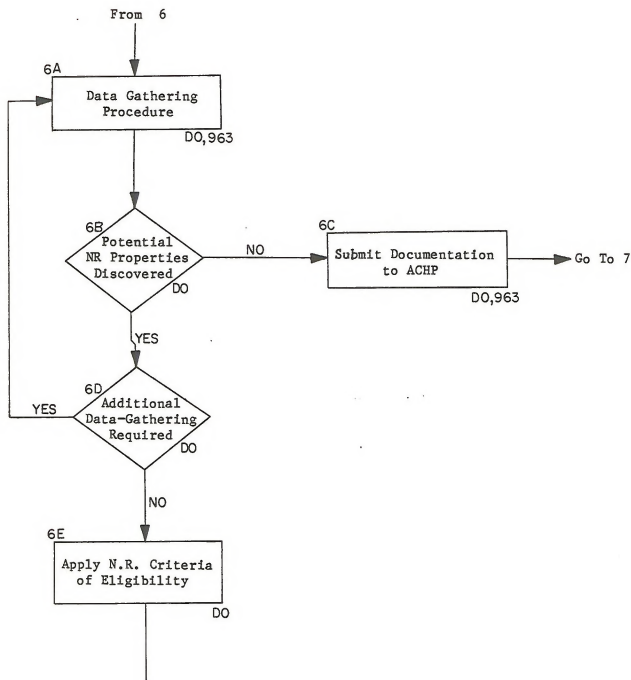
CULTURAL RESOURCE CLEARANCE - DETERMINATION OF EFFECT



## CULTURAL RESOURCE CLEARANCE PROCEDURES - DETERMINATION OF EFFECT

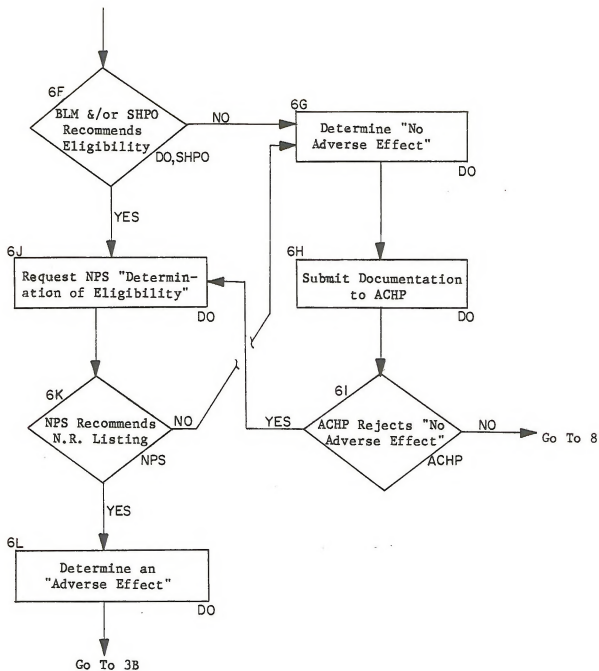
Step	Office/ Responsible Person	Action	Time to Complete Step (Days)
5A	DO/Cultural Resource Specialist	5A. Applies criteria of Adverse Effect in consultation with SHPO. a. On site inspection may be deemed appropriate in order to assess adverse effect. If data gathering is required, additional 30-N days may be necessary. b. If "no adverse effect" is determined, proceed to 5B. c. If "adverse effect" is determined, proceed to 5C.	1-2
5B	DO/Cultural Resource Specialist	5B. Documents no adverse effect with SHPO's comments and forwards to ACHP's Executive Director for review. Proceed to 5D.	1-2
5C	910	5C. Determines if adverse effect can be avoided or mitigated through consider- ation of various management options. a. If adverse effect can be avoided, return to 5B. b. If adverse effect cannot be avoided, return to 3B.	30
5D	ACHP	5D. Determines whether to reject BLM's determination of no adverse effect. a. If the ACHP does not reject deter- mination, proceed to 8 (Main Flow). b. If the ACHP rejects determination, return to 3B. ACHP will notify by letter and/or phone if it rejects determination of no adverse effect. BLM will prepare Preliminary Case Report as basis for consultation with ACHP.	30-60

CULTURAL RESOURCE CLEARANCE - DETERMINATION OF ADVERSE EFFECT



CULTURAL RESOURCE CLEARANCE PROCEDURES - DETERMINATION OF  
ADVERSE EFFECT

Step	Office/ Responsible Person	Action	Time to Complete Step (Days)
6A	DO & 963/ Cultural Resource Specialist	6A. Begins data gathering process.	30-N
6B	DO/Cultural Resource Specialist	6B. Determines whether the cultural resource properties discovered, if any, potentially eligible for NR listing. a. If not eligible or if no cultural resource properties were found, proceed to 6C. b. If obviously or potentially eligible, proceed to 6D.	1-N
6C	DO/Cultural Resource Specialist	6C. Submits the <u>documentation</u> that no NR eligible properties are present to SHPO. a. If no sites were found and the SHPO decides that an inadequate on-site inspection was conducted, proceed to 6D. b. If the SHPO disagrees as to site eligibility, proceed to 6K.	10-15
6D	DO/Cultural Resource Specialist	6D. Determines the need for additional data gathering. a. If the existing information for the recorded cultural resource properties is sufficient to undertake a NR evaluation, proceed to 6E. b. If the existing information for the recorded cultural resource properties is insufficient to undertake a NR evaluation, return to 6A.	1-2
6E	DO & 963/ Cultural Resource Specialist	6E. In consultation with the SHPO, applies the NR criteria to <u>all</u> potentially eligible properties within the area of potential impact and prepares <u>nomination forms</u> for all eligible properties.	30-45



CULTURAL RESOURCE CLEARANCE PROCEDURES - DETERMINATION OF  
ADVERSE EFFECT

Step	Office/ Responsible Person	Action	Time to Complete Step (Days)
6F	DO & 963/ Cultural Resource Specialist	6F. Determines whether there is consensus between the SHPO and BLM on the NR eligibility or ineligibility of recorded cultural resource properties within the area of impact. a. If there are no NR eligible sites, proceed to 6G. b. If either the BLM or the SHPO recommend NR listing for any recorded sites, proceed to 6K.	1
6G	DO & 963/ Cultural Resource Specialist	6G. Applies criteria of adverse effect in consultation with SHPO and "no adverse effect" is determined. Document "no adverse effect" determination with SHPO <u>letter</u> .	1
6H	DO & 963	6H. Submits <u>determination</u> to ACHP for review.	
6I	ACHP	6I. Determines whether the Advisory Council on Historic Preservation (ACHP) concurs with or rejects BLM's finding of "no adverse effect." a. If the ACHP concurs, proceed to 8. b. If the ACHP rejects the determination, the ACHP will either direct BLM to request a "Determination of Eligibility" for certain cultural resources within the area of an undertaking's potential environmental impact (Step 6) or require certain conditions or stipulations for concurrence in a determination of no adverse effect (Step 6J).	30-60





CULTURAL RESOURCE CLEARANCE PROCEDURES - DETERMINATION OF  
ADVERSE EFFECT

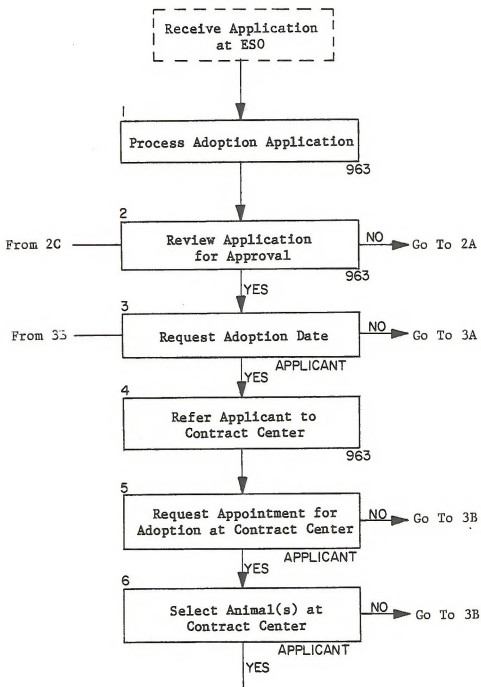
Step	Office/ Responsible Person	Action	Time to Complete Step (Days)
6J	DO/Cultural Resource Specialist	6J. Requests a "Determination of Eligibility" from the Keeper of Register (NPS), in accordance with 36 CFR Part 63, for all eligible properties which may be affected.	10-15
6K	NPS	6K. Determines whether any recorded cultural resource properties within the area qualify for NR listing. a. If the Keeper of the Register (NPS) recommends non-eligibility, a determination of "no adverse effect" is reached. Return to 6G. The Keeper's determination is then submitted to the ACHP as documentation. b. If the Keeper of the Register (NPS) recommends NR listing for any cultural resource, a determination of "adverse effect" is reached. Proceed to 6L.	30-60
6L	DO/Cultural Resource Specialist	6L. Applies criteria of adverse effect in consultation with SHPO and an "adverse effect" is determined. Consultation with ACHP is automatically required. Proceed to 3B.	1



#### WILD HORSE AND BURRO ADOPTION

The Wild Free-Roaming Horse and Burro Program was established by the Wild Free-Roaming Horse and Burro Act of 1971 (16 USC 1331-1340), as amended, which delegated the responsibility for management and protection of wild horses and burros to the Bureau of Land Management. Eastern States carries out this responsibility through contract adoption centers or satellite adoption operations. ESO issues titles to qualified adopters after one year's proper care and maintenance.

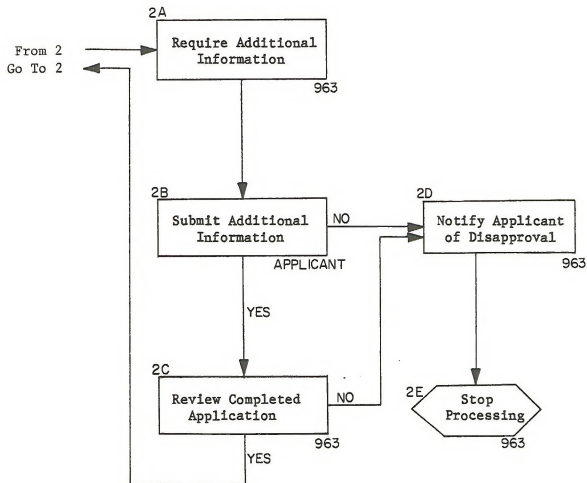
WILD HORSE AND BURRO ADOPTION



## WILD HORSE AND BURRO ADOPTION

Step	Office/ Responsible Person	Action	Time to Complete Step (Days)
1	963/ Biological Technician	1. Processes <u>application</u> (Form 4710-10). a. <u>Application</u> with \$25 fee paid is forwarded to ESO (963) from DSC (D-470). b. Copy of <u>application</u> with \$25 fee attached is sent to DSC (D-470) by ESO (963). c. <u>Application</u> without \$25 fee is processed by ESO (963). Go to 2.	1
2	963/ Biological Technician	2. Reviews <u>application</u> for approval. a. If <u>application</u> may not be approved, proceed to 2A. b. If <u>application</u> is approved, contact applicant by telephone to determine adoption timing. Go to 3.	2
3	Applicant	3. Requests adoption date. a. If applicant requests to adopt immediately, proceed to 4. b. If applicant does not request to adopt immediately, go to 3A	1
4	963/ Biological Technician	4. Refers applicant to appropriate contract adoption center.	1
5	Applicant	5. Calls contract center to obtain appointment to select animal(s). If applicant does not make appointment within 2 weeks, return to 3B.	1-N
6	Applicant	6. Views available animals at contract center. a. If applicant does not select animal(s), return to 3B. b. If applicant selects animal(s), go to 7.	1

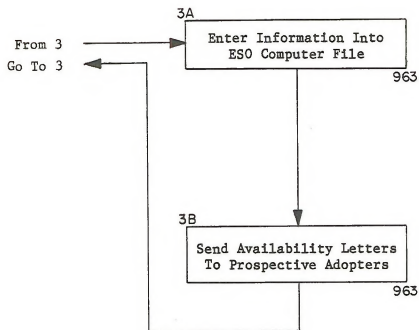
WILD HORSE AND BURRO ADOPTION



## WILD HORSE AND BURRO ADOPTION

Step	Office/ Responsible Person	Action	Time to Complete Step (Days)
2A	963/ Biological Technician	2A. Requires additional information from applicant for approval to adopt. Go to 2B.	1
2B	Applicant	2B. Submits additional information.	1-N
2C	963/ Biological Technician	2C. Reviews completed <u>application</u> . a. If <u>application</u> is approved, return to 2. b. If <u>application</u> is disapproved, go to 2D.	3
2D	963/ Biological Technician	2D. Notifies applicant by <u>letter</u> of application's disapproval.	3
2E	963/ Biological Technician	2E. Stops processing <u>application</u> .	

WILD HORSE AND BURRO ADOPTION

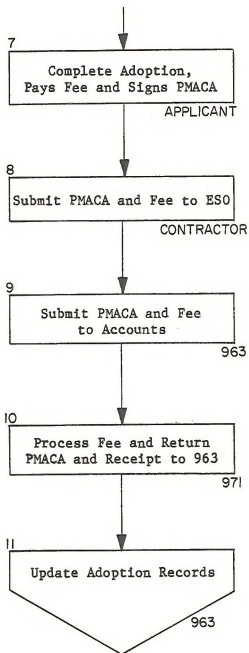




## WILD HORSE AND BURRO ADOPTION

Step	Office/ Responsible Person	Action	Time to Complete Step (Days)
3A	963/ Biological Technician	3A. Enters information from approved pending <u>application</u> into ESO computer file. a. Enters applicant's name and mailing address. b. Places approved <u>application</u> in pending file. Proceed to 3B.	5
3B	963/ Biological Technician	3B. When animals are available, sends <u>letters of availability</u> to pending <u>applicants and/or previous adopters</u> . a. <u>Letters of availability</u> are sent to pending applicants on ESO computer file. b. Requests DSC (D470) to send <u>letters</u> <u>of availability</u> to applicants listed. c. Return to 3.	5

WILD HORSE AND BURRO ADOPTION



# WILD HORSE AND BURRO ADOPTION

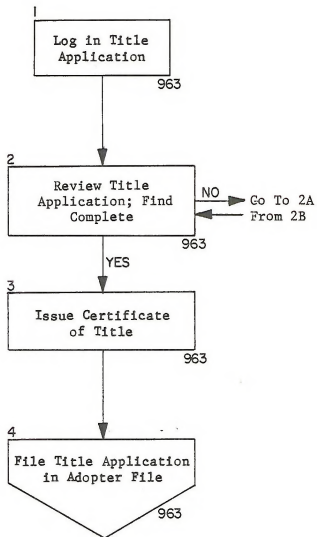
Step	Office/ Responsible Person	Action	Time to Complete Step (Days)
7	Applicant	7. Completes adoption, pays fee and signs <u>Private Maintenance and Care Agreement (FMACA) (Form 4710-9)</u> .	
8	Contractor	8. Submits <u>FMACA (Form 4710-9)</u> and fee to ESO (963).	10
9	963/ Biological Technician	9. Submits <u>FMACA (Form 4710-9)</u> and fee to Accounts (971).	2
10	971	10. Processes fee and returns <u>FMACA</u> and <u>receipt</u> to (963).	5
11	963/ Biological Technician	11. Updates adoption records. a. Sends copy of <u>FMACA</u> to DSC. b. Sends copy of <u>FMACA</u> to BLM office that shipped animal to ESO. c. Creates an adopter file containing <u>application</u> , <u>FMACA</u> , and <u>fee receipt</u> .	5



#### WILD HORSE AND BURRO TITLE APPLICATION

The Wild Free-Roaming Horse and Burro Act of 1971 (16 USC 1331-1340), as amended, also allows issuance of Certificates of Title to qualified adopters after one year's proper care and maintenance of adopted wild animals. After title is received, the Bureau of Land Management no longer has the legal responsibility of ensuring the animals' proper care and protection; that responsibility now rests with the adopter.

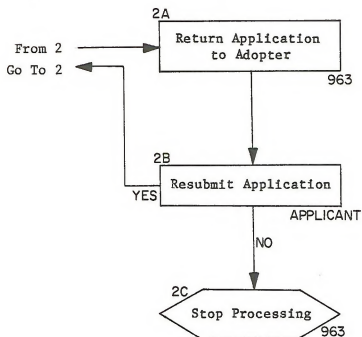
WILD HORSE AND BURRO TITLE APPLICATION



## WILD HORSE AND BURRO TITLE APPLICATION

Step	Office/ Responsible Person	Action	Time to Complete Step (Days)
1	963/ Clerk- Typist	1. Logs in <u>title application (Form 4710-11)</u> , noting adopter's name, date received, and freeze mark number(s) of animals(s) for which title is requested.	1
2	963/ Biological Technician	2. Reviews <u>title application (Form 4710-11)</u> , to determine completeness by checking for veterinarian's signature; freeze mark number(s) and adopter's name match those on DSC computer and PMACA; adopter has maintained animal(s) for 1 year and has not received title to 4 animals within past 12 month period; and adopter's signature. a. If application is incomplete, go to 2A. b. If application is complete, go to 3.	2
3	963/ Clerk- Typist	3. Issues <u>Certificate of Title</u> . a. Make necessary corrections on <u>application</u> . b. Type <u>title</u> , entering adopter's name, address, freeze mark number, and signalment key of animal. c. Type <u>letter of transmittal</u> . d. Obtain Branch Chief's signature on <u>letter</u> . e. Enter date of <u>title</u> in log book. f. Mail <u>title</u> and <u>letter of transmittal</u> to adopter. g. Send ADP worksheet with title date noted to DSC for recordation on computer.	2
4	963/ Clerk- Typist	4. Files title information in adopter's file. File contains: a. Copy of <u>transmittal letter</u> . b. Original <u>title application</u> . c. Copy of <u>Certificate(s) of Title</u> . d. Adopter's file retained for 2 years after which it is destroyed.	1

WILD HORSE AND BURRO TITLE APPLICATION





## WILD HORSE AND BURRO TITLE APPLICATION

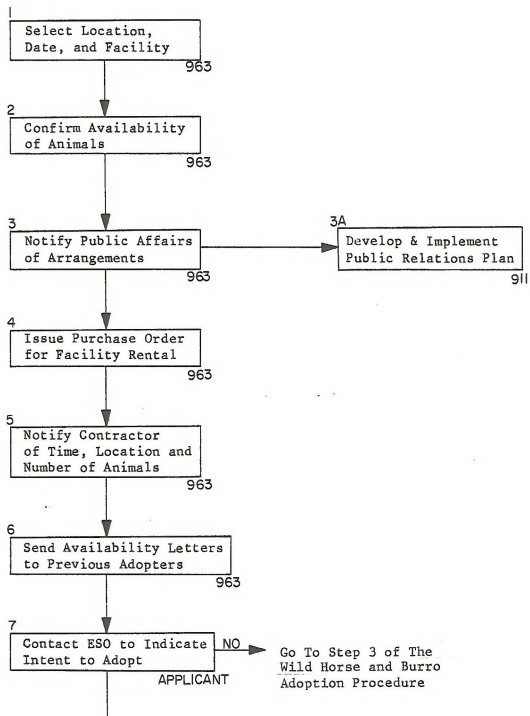
Step	Office/ Responsible Person	Action	Time to Complete Step (Days)
2A	963/ Biological Technician	2A. Returns <u>application</u> to adopter for correction or additional information required. Go to 2B.	1
2B	Adopter	2B. Resubmits corrected <u>application</u> or additional information. a. If yes, return to 2. b. If no, go to 2C.	
2C	963/ Biological Technician	2C. Stops processing <u>title application</u> .	



#### WILD HORSE AND BURRO SATELLITE ADOPTION CENTER

Eastern States Office (ESO) is the "marketing arm" of BLM's Adopt-A-Horse Program. In addition to two contractor-operated permanent adoption centers, ESO sets up temporary "satellite" centers to facilitate the disposal of excess animals by taking excess horses and burros to areas not readily accessible to the permanent centers.

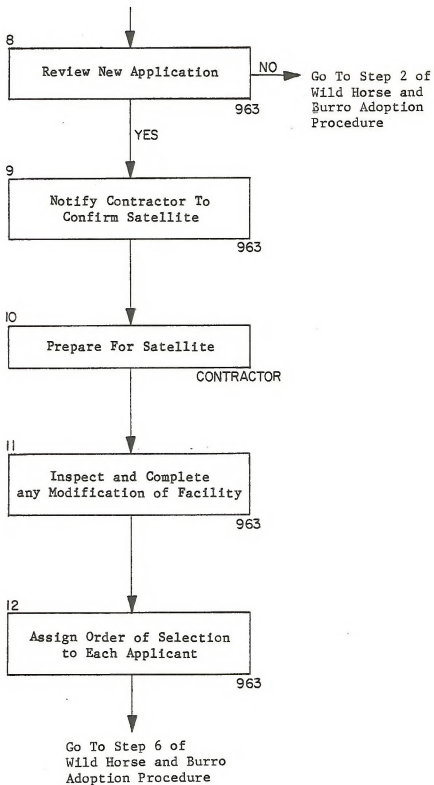
## WILD HORSE AND BURRO SATELLITE ADOPTION CENTER



WILD HORSE AND BURRO SATELLITE ADOPTION CENTER

Step	Office/ Responsible Person	Action	Time to Complete Step (Days)
1	963/ Program Specialist	1. Selects location, date, and facility. a. Determine general geographic location. b. Conduct on-site inspection of available facilities. c. Establish date for rental of facility. d. Establish cost of facility. e. Establish availability of veterinarian.	10
2	963/ Program Specialist	2. Confirms animal availability and shipment dates with the western BLM Office(s).	3
3	963/ Program Specialist	3. Notifies Office of Public Affairs about satellite arrangements, go to 3A.	1
3A	911	3A. Develops and implements <u>Public Relations Plan</u> .	
4	950	4. Issues <u>purchase order</u> for facility rental.	2
5	963/ Program Specialist	5. Notifies contractor of time, location and number of animals involved.	1
6	963/ Biological Technician	6. Sends <u>letters of availability</u> of animals to previous adopters and applicants in satellite area on the ESO computer file and DSC application file.	5
7	Applicant	7. Contacts ESO to indicate his/her intent to adopt an animal at the satellite. a. If the intent is not to adopt, go to 3 of Adoption Flow Chart. b. If the intent is to adopt, go to 8.	1-N

WILD HORSE AND BURRO SATELLITE ADOPTION CENTER

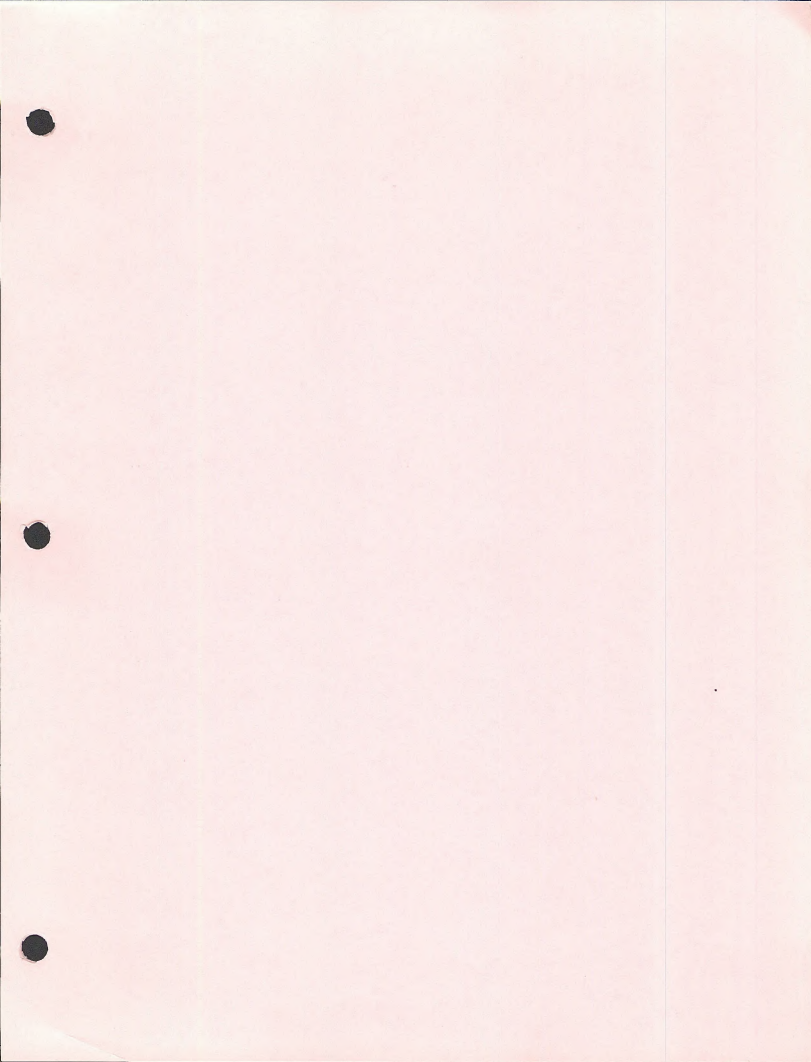


# WILD HORSE AND BURRO SATELLITE ADOPTION CENTER

Step	Office/ Responsible Person	Action	Time to Complete Step (Days)
8	963/ Biological Technician	8. Reviews new <u>applications</u> for approval. a. If <u>application is disapproved</u> , go to 2 of Wild Horse and Burro Adoption Process. b. If approved, schedule day appointment for the adoption at the satellite. Go to 9.	10
9	963/ Program Specialist	9. Notifies contractor to confirm satellite.	1
10	Contractor	10. Prepares to conduct satellite. a. Gathers equipment. b. Arranges for feed. c. Hires personnel d. Travels to site.	3
11	963/ Program Specialist	11. Inspects and completes any necessary modification of facility to conduct satellite operations.	1
12	963/ Program Specialist	12. Assigns order of selection to each applicant and provides health, age, and sex data on available animals to each applicant.  Go to 6 of Wild Horse and Burro Adoption Process.	







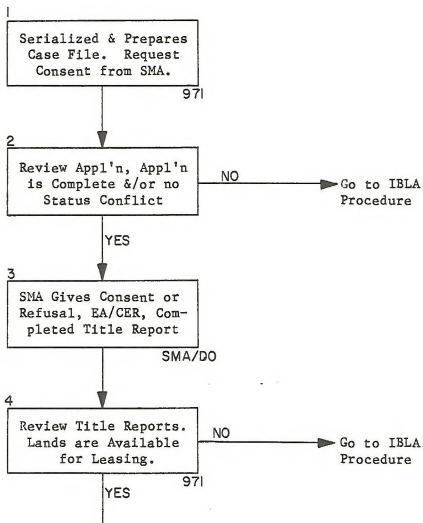


OIL AND GAS NONCOMPETITIVE (OVER THE COUNTER) LEASE  
APPLICATION

This procedure outlines the process involved in issuing a noncompetitive (over the counter) oil and gas lease application. The procedure applies to all federally owned minerals which are not within a Known Geologic Structure of a producing oil or gas field and which have not been previously leased.

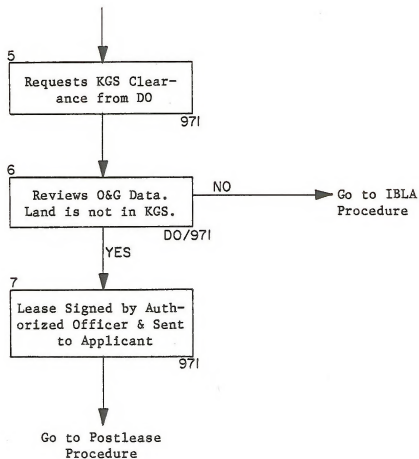
The following laws and regulations mandate the leasing procedures for these minerals: 43 CFR 3100 (subpart 3110 and 3111); The Mineral Leasing Act of 1920, as amended (30 U.S.C. 181 et seq.); The Mineral Leasing Act for Acquired Lands (30 U.S.C. 351-359); 48 FR 33648, July 22, 1983.

OIL AND GAS, NONCOMPETITIVE (OVER-THE-COUNTER) LEASING



## OIL AND GAS NONCOMPETITIVE (OVER-THE-COUNTER) LEASING

Step	Office/ Responsible Person	Action	Time to Complete Step (Days)
1	971/ Account Section Cash Clerk	1. Date stamps and <u>serializes</u> applications upon receipt. Requests <u>consent</u> on Forest Service lands only.	2
	971/ Docket Section Docket Clerk	a. Prepares casefile for each application. Data entered in ALMRS.	5
2	971/ Minerals Adjudicator, Land Law Examiner	2. Reviews application for completeness.	5
	971/ Legal Clerk	a. Prepare preliminary <u>status</u> report for availability and conflicting prior applications or leases.	
	971/ Legal Clerk	b. The lands are available, request SMA consent and EA/CER e.g., COE; go to 3.	2
	971/ Land Law Examiner	c. If lands are not available write <u>decision</u> rejecting application. Go to IBLA Procedure.	50
3	SMA	3. Prepare EA/CER (except for COE, BLM, etc.; EA/CER is done by BLM/DO) and complete title report. Recommend stipulation. Forward to 971.	180-240
4	971/ Minerals Adjudicator, Land Law Examiner	4. Receives the title report and consent and reviews for leasing recommendation and special stipulation.	5
		a. If consent is given SMA complete processing.	1
		b. Send stipulations to applicant for signature.	50
		c. If SMA consent is not given, write decision rejecting application. Go to IBLA Procedure.	50



## OIL AND GAS NONCOMPETITIVE (OVER-THE-COUNTER) LEASING

Step	Office/ Responsible Person	Action	Time to Complete Step (Days)
5	971/ Minerals Adjudicator, Land Law Examiner	5. Send applications to DO for KGS Clearance.	1
6	DO	6. Review applications for clearance KGS and forward to 971.	30
	971/ Minerals Adjudicator, Land Law Examiner	Review KGS data received.	1
		a. If partial KGS, reject in part, go to IBLA.	50
		b. If not in KGS, com- plete processing for issuance, go to 7.	2
		c. If entirely in KGS, reject in full, go to IBLA.	50
7	971/ Minerals Adjudicator, Land Law Examiner	7. a. Assemble lease package (lease and stipulations), date stamp and surname lease.	1
	971/ Team Leader	b. Review and sign lease.	1
	971/ Legal Clerk	c. Mail lease copies to applicant, SMA and DO. Data entered into ALMRS.	5

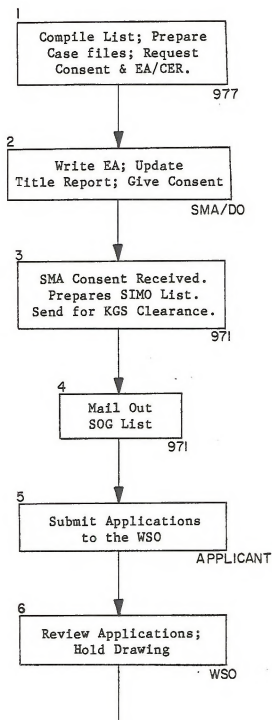




SIMULTANEOUS OIL AND GAS LEASING  
(Noncompetitive Acquired and Public Domain)

This procedure outlines the process involved in issuing a Simultaneous Oil and Gas lease. The procedure applies to all lands which are not within a Known Geologic Structure (KGS) of a producing oil field, and were covered by Federal oil and gas leases which have been terminated, cancelled, relinquished or expired. In addition, the Bureau of Land Management Director may designate other lands which are not within a KGS of a producing oil and gas field to be leased in this manner. The following laws and regulations mandate the leasing procedures of these minerals: 43 CFR 3100 (subpart 3112); The Mineral Leasing Act of 1920, as amended 30 U.S.C. 188; 45 FR 35163, May 23, 1980, as amended at 47 FR 8545, February 26, 1982, and 48 FR 33678, July 22, 1983.

OIL AND GAS, SIMULTANEOUS LEASING (SOG)



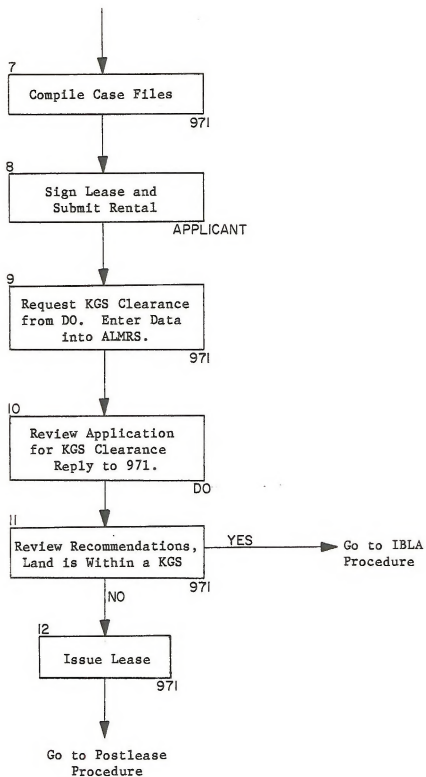
SIMULTANEOUS OIL AND GAS LEASING  
(NONCOMPETITIVE ACQUIRED AND PUBLIC DOMAIN)

Step	Office/ Responsible Person	Action	Time to Complete Step (Days)
1	971/ Legal Clerk	1. Compiles list, prepares case files and requests consent and EA/CER. a. Termination list received, cases are pulled from docket and reviewed to confirm which leases should be closed. b. Prepares <u>case files</u> for record notation and requests consent from SMA. Files are returned to docket. Data entered in ALMRS.	90
2	SMA/DO	2. Writes <u>EA</u> , updates <u>Title Report</u> (if necessary), gives <u>consent to release</u> along with stipulations and mails back to State Office.	90
3	971/ Adjudicator, Legal Clerk	3. Consent received from SMA. Cases are pulled from docket, rough drafts completed from files. Types legal descriptions and places on SOG list of available lands. Sends preliminary SOG list to DO for KGS Clearance before posting.	72
4	971/ Adjudicator, Mailroom Clerk	4. Mails and posts SOG lists.	7
5	Applicant	5. Submits applications to the WSO.	15



SIMULTANEOUS OIL AND GAS LEASING  
(NONCOMPETITIVE ACQUIRED AND PUBLIC DOMAIN)

<u>Step</u>	<u>Office/ Responsible Person</u>	<u>Action</u>	<u>Time to Complete Step (Days)</u>
6	WSO/ SOG Team	6. Receives applications. Reviews applications for accuracy, filing fees, equal number of parcels etc. Hold drawing. Mail results list and winning applications to ESO.	60



SIMULTANEOUS OIL AND GAS LEASING  
(NONCOMPETITIVE ACQUIRED AND PUBLIC DOMAIN)

Step	Office/ Responsible Person	Action	Time to Complete Step (Days)
7	971/ Adjudicator	7. Compiles case files and sends notice of rental due to applicant along with copies of lease offers for signature.	90
8	Applicant	8. Signs lease offers and submits rental.	30
9	971/ Adjudicator, Legal Clerk	9. Sends applications to DO for KGS Clearance. Enters data into ALMRS.	
10	DO	10. Reviews application for KGS Clearance. Sends recommendations 971.	60
11	971/ Adjudicator	11. Reviews recommendations: a. If partial KGS, rejects that part; go to IBLA Procedure. b. Continues processing lands not in KGS for issuance; go to 7. c. If entirely within a KGS, rejects in full; go to IBLA Procedure.	30
12	971/ Adjudicator, Authorized Officer, Legal Clerk	12. Issues lease and mails copies to applicant, SMA and DO. Enters data into ALMRS and notes records.	2



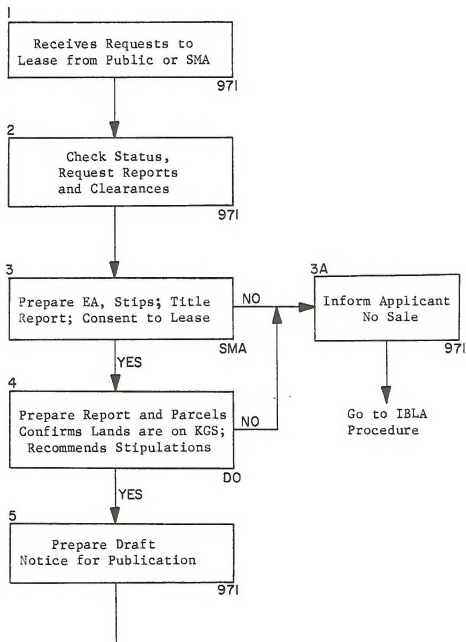


## OIL AND GAS COMPETITIVE LEASE

This procedure outlines the process involved in issuing a competitive oil and gas lease. The procedure applies to all federally owned minerals which are within any known geologic structure of a producing oil and gas field, as determined by Bureau of Land Management, or for which authority to lease has been delegated from the General Services Administration. In addition, lands which are otherwise unavailable for leasing but which are subject to drainage (protective leasing), may be leased in this manner.

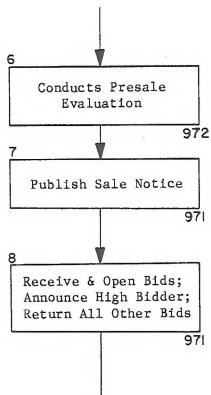
The following laws and regulations mandate the leasing procedures for these minerals: 43 CFR 3100 (subpart 3120); the Mineral Leasing Act of 1920, as amended (30 U.S.C. 181 et seq.); the Mineral Leasing Act for Acquired Lands (30 U.S.C. 351-359); 48 FR 33648, July 22, 1983.

OIL AND GAS, COMPETITIVE LEASE



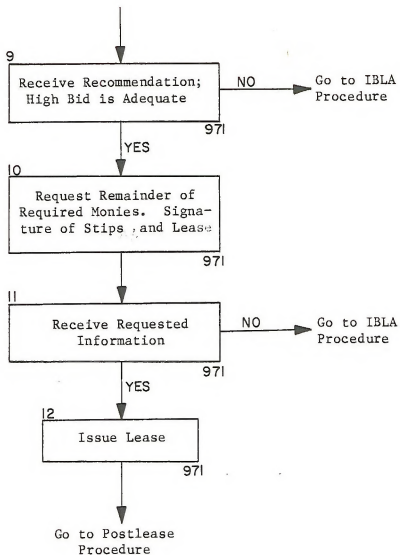
## OIL AND GAS, COMPETITIVE LEASE

Step	Office/ Responsible Person	Action	Time to Complete Step (Days)
1	971/ Mineral Adjudication, Section Team Leader	1. Receives requests to lease from public or SMA and forwards to Legal Clerk.	1
2	971/ Legal Clerk	2. Check status, request reports and clearances. a. Checks status for prior lease conflicts, mineral ownership, KGS determinations. b. Assigns Serial No. c. Requests title report from SMA. Requests reports from DO.	20
3	SMA/DO	3. Prepares EA, stipulations, title reports, and gives consent to lease. a. If yes, go to 4. b. If no, go to 3A.	120
3A	971/ Adjudicator	3A. Informs applicant that lands are not available for lease. No Sale. Go to IBLA Procedure.	
4	DO	4. Prepares minerals reports on KGS lands, recommends parceling of each tract accordingly, prepares EA (for COE and BLM). Recommends additional stipulations. a. If not within KGS, go to 3A. b. If within KGS, go to 5.	60
5	971/ Mineral Adjudication, Land Law Examiner	5. Sets sale date after all reports are received. Prepares publication notices for newspaper and other mailing list.	60



# OIL AND GAS, COMPETITIVE LEASE

Step	Office/ Responsible Person	Action	Time to Complete Step (Days)
6	972/ Petroleum Engineer	6. Conducts presale evaluation agrees to Lease Competitively.	90
7	971/ Mineral Adjudication, Land Law Examiner	7. Publishes sale notices in newspapers and journals and mails detailed statement of Sale to the public on the competitive mailing list.	60
8	971/ Accounts: Accounts Clerk, Land Law Examiner	8. Receives and time stamps all sealed bid envelopes. a. Holds sale on the day and time set in sale notice. b. Serializes the high bids. c. Returns all but high bid and checks.	1 1 2



## OIL AND GAS - COMPETITIVE LEASE

Step	Office/ Responsible Person	Action	Time to Complete Step (Days)
9	971/ Minerals Adjudication	9. Receives recommendation concerning adequate bid from DO; a. If bid is adequate, go to 10. b. If bid is not adequate writes decision rejecting bid. Go to IBLA Procedure.	10
10	971/ Minerals Adjudication, Land Law Examiner	10. Prepares decision requesting remainder of bonus bid, first year rental and signing of the lease and any necessary stipulations, and forwards to high bidder.	50
11	971/ Accounts, Cash Clerk	11. Required documents and monies are received. a. If yes, go to 12. b. If no, go to IBLA Procedure.	1
12	971/ Minerals Adjudication, Land Law Examiner	12. Reviews and issues competitive lease for a primary term of 5 years. Go to Postlease Procedure.	2

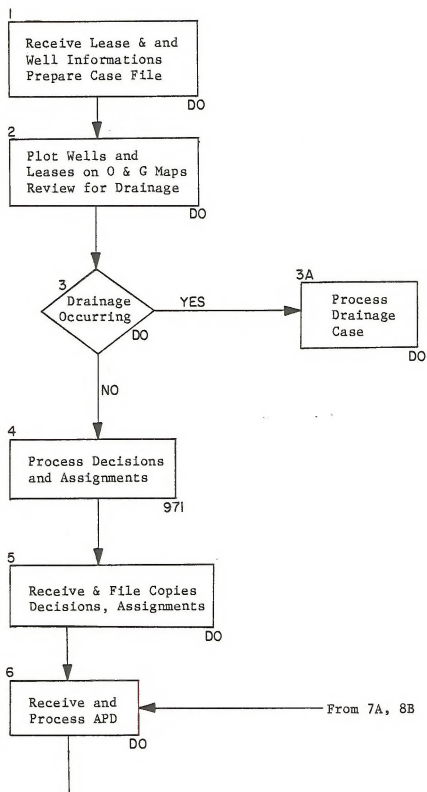




## OIL AND GAS, POSTLEASE

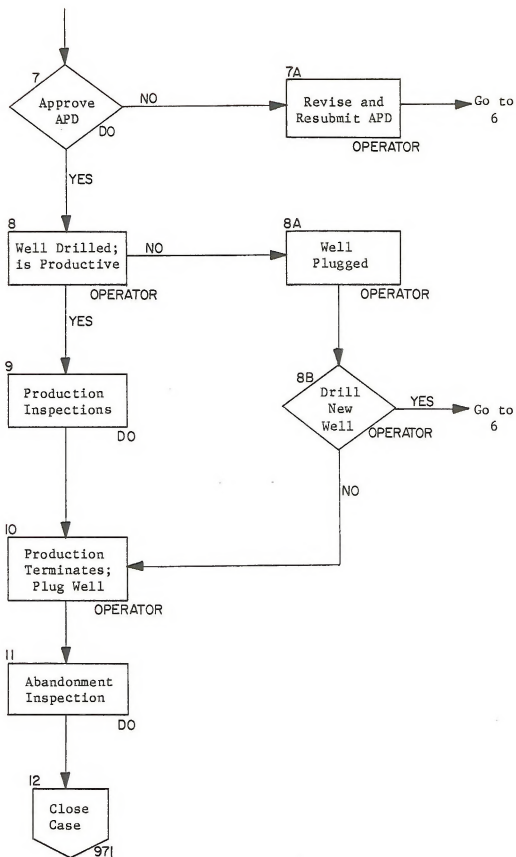
This is the procedure all oil and gas leases follow after lease issuance. The procedure shown here is primarily a field oriented procedure with inspection and enforcement as a major element, and as such is handled by the District Office. Authority for the processing and management of oil and gas leases after issuance is given in the Mineral Leasing Act of 1920, as amended; 43 CFR 3100; and Bureau of Land Management Manual Section 3160.

OIL AND GAS, POSTLEASE



## OIL AND GAS, POSTLEASE

Step	Office/ Responsible Person	Action	Time to Complete Step (Days)
1	DO/ Chief, Branch of Fluids	1. Receives copy of lease, well infor- mation from PI, prepares case files.	--
2	DO/ Cartographer	2. Plots well and leases on Oil and Gas maps and reviews for pos- sible drainage.	30
3	DO/ Petroleum Engineer	3. Decides if drainage occurring. a. If yes, go to 3A. b. If no, go to 4.	30-60
3A	DO/ Petroleum Engineer	3A. Processes case to protect from or compensate for drain- age situation.	30-60
4	971/ Adjudicator	4. Processes decisions and assignments as received.	60
5	DO/ Petroleum Engineer	5. Files and records lease assignments and decisions as received.	30
6	DO/ Petroleum Engineer, Environmental Scientist	6. Receives and process APD.	30



## OIL AND GAS, POSTLEASE

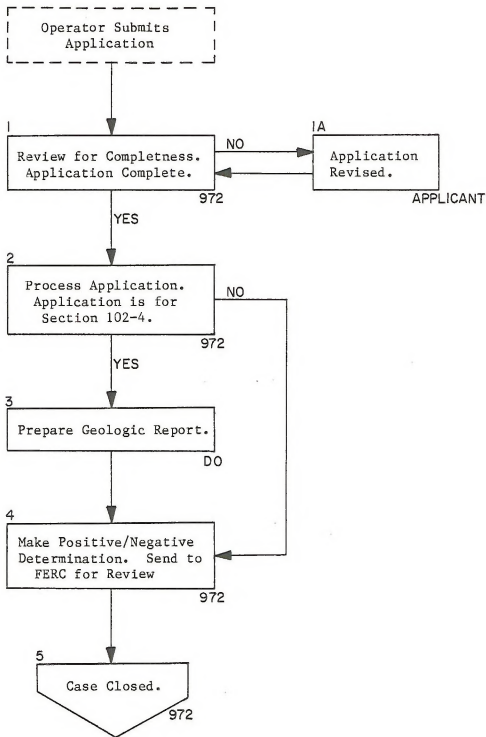
Step	Office/ Responsible Person	Action	Time to Complete Step (Days)
7	DO/DM	7. Approves APD. a. If yes, go to 8. b. If no, go to 7A.	30
8	Operator	8. Drills well (has 90 days after APD approval to spud well). a. If well productive, go to 9. b. If well nonproductive, go to 8A.	5-365
8A	Operator	8A. Plugs nonproductive well.	3-30
8B	Operator	8B. Decides to drill new well. a. If yes, go to 6. b. If no, go to 10.	--
9	DO/ Petroleum Engineering Technician	9. Annual inspection of lease production.	--
10	Operator	10. Production ceases. Plugs well and applies for bond relinquishment.	
11	DO/ Petroleum Engineering Technician	11. Performs abandonment inspection. a. If approves, go to 12. b. If disapproves, go to 10.	30
12	971/ Adjudicator	12. Closes case, notes records.	5



## NATURAL GAS POLICY ACT DETERMINATIONS

The Natural Gas Policy Act of 1978 (NGPA) was enacted by Congress to provide an economic incentive to the oil and gas industry to locate new gas reserves and produce them so that the nation would have an adequate supply of natural gas at a reasonable price. An application is submitted for each well to the proper jurisdictional agency and a wells category determination is made. The Bureau of Land Management (BLM) is the jurisdictional agency for all wells drilled on Federal lands. The Federal Energy Regulatory Commission has final authority to sustain or overrule the BLM determinations. Authority for processing NGPA determinations is given in the Natural Gas Policy Act of 1978 and in various Federal Register notices.

OIL AND GAS, NATURAL GAS POLICY ACT DETERMINATIONS





OIL AND GAS  
NATURAL GAS POLICY ACT DETERMINATIONS

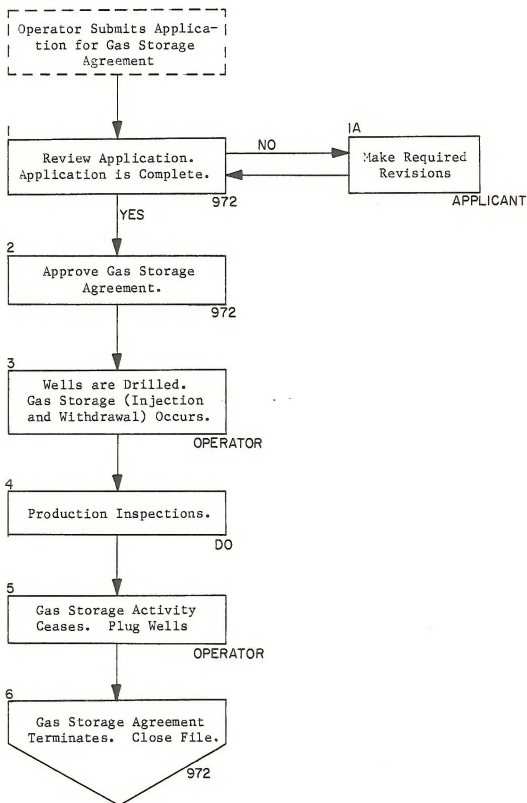
Step	Office/ Responsible Person	Action	Time to Complete Step (Days)
1	972/ Chief, BFSM	1. Review the application for completeness. a. If it is found to be incomplete or deficient in some manner, return <u>application</u> to applicant and go to 1A. b. If it is complete, go to 2.	15
1A	Applicant	1A. Applicant has an opportunity to correct the defect(s) found in his/her application. If he/she does so, return to 1.	10-N
2	972/ Chief, BFSM	2. Original or revised <u>application</u> is processed. Process includes preliminary well category determination (positive/negative) and adherence to 15-day waiting period for public comments. a. If application is for Section 102-4 (New Onshore Reservoir), go to 3. b. If application is for any other section, go to 4.	30
3	DO/ Chief, Fluids Section	3. For Section 102-4 (New Onshore Reservoir) a <u>geologic report</u> is prepared by the DO. The completed report is provided to 972 along with recommendation as to qualification of well for that Section.	30
4	972/ Chief, BFSM	4. A final well category determination is made and appropriate <u>notification</u> is made to the applicant, colessees, and gas purchaser. Send one <u>copy</u> to FERC for review and final disposition.	30
5	972/ Chief, BFSM	5. Upon final disposition, FERC <u>notifies</u> applicant the case is closed.	30



OIL AND GAS  
GAS STORAGE AGREEMENTS

The objective of underground gas storage agreements is to allow Federal lands to be used to store natural gas during periods of excess production so that supplies will be available to meet peak demands. Injection and withdrawal occurs in a cyclical manner over the course of a calendar year. Authority for the processing and management of gas storage agreements is given in the Mineral Leasing Act of 1920, as amended; 30 CFR 226; 43 CFR 3105; and CDM 645.5.

OIL AND GAS, GAS STORAGE AGREEMENTS



OIL AND GAS  
GAS STORAGE AGREEMENTS

Step	Office/ Responsible Person	Action	Time to Complete Step (Days)
1	972/ Chief, BFSM	1. Review the application for completeness. a. If it is found to be incomplete or deficient in some manner, return <u>application</u> to operator, and go to 1A. b. If application is complete, go to 2.	30
1A	Applicant	1A. The applicant has an opportunity to correct the defect(s) found in his application. Go to 1.	10-N
2	972/ Chief, BFSM	2. The gas storage agreement is given final review and is approved. Send one <u>copy</u> to DO, applicant, and to MMS.	30-90
3	Operator	3. The applicant drills injection/withdrawal wells, as necessary, on the gas storage area in accordance with Step 5-7 of the Oil and Gas Postlease procedure. Gas storage is then initiated and injection/withdrawal activity occurs.	30-N
4	DO/ Chief, Fluids Section	4. The DO approves all operations on the Federal lands within the storage area. Production inspections occur routinely on the gas storage area.	30
5	Operator	5. When all gas storage activity ceases, the operator plugs all wells with approval by the DO.	30-N



OIL AND GAS  
GAS STORAGE AGREEMENTS

Step	Office/ Responsible Person	Action	Time to Complete Step (Days)
6	972/ Chief, BFSM	6. Upon cessation of gas storage activity, the gas storage agreement terminates, appropriate <u>lease extensions</u> are granted, and the file is closed.	1,855-N

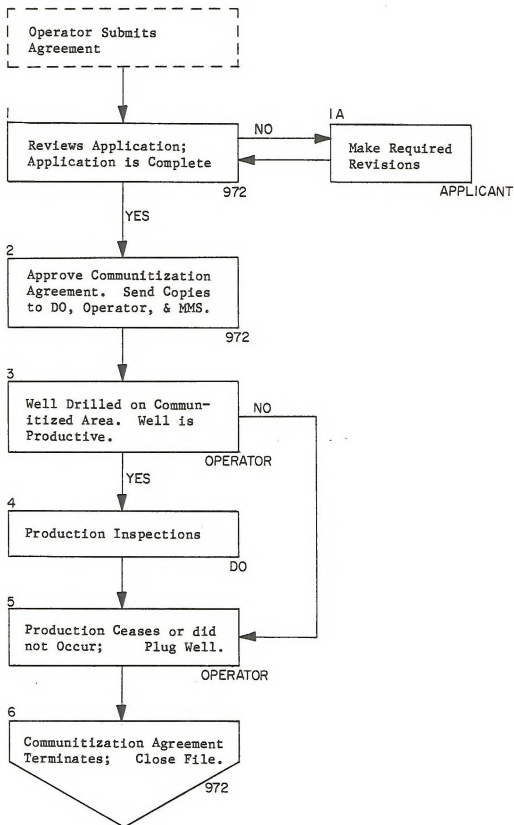




## COMMUNITIZATION AGREEMENTS

The objective of communitization is to allow the development of separate Federal tracts which could not be independently developed and operated in conformity with an established well spacing program. In a communitization agreement all lands in the spaced area are pooled together so that a single well is drilled to a specified zone. Authority for the processing and management of communitization agreements is given in the Mineral Leasing Act of 1920, as amended; 43 CFR 3100; and Bureau of Land Management Manual Section 3160.

OIL AND GAS, COMMUNITIZATION AGREEMENT



## OIL AND GAS COMMUNITIZATION AGREEMENTS

Step	Office/ Responsible Person	Action	Time to Complete Step (Days)
1	972/ Chief, BFSM	1. Reviews the application for completeness. a. If it is found to be incomplete or deficient in some manner, returns <u>application</u> to operator. Go to 1A. b. If it is complete, go to 2.	10
1A	Applicant	1A. The applicant has an opportunity to correct the defect(s) found in his/her application. Go to 1.	10-180
2	972/ Chief, BFSM	2. Gives the communitization agreement final review and approves. Sends one <u>copy</u> to DO, one <u>copy</u> to applicant, and one <u>copy</u> to MMS.	5
3	Operator	3. The applicant drills a well on the communitized area in accordance with Steps 5-7 of the Oil and Gas Postlease procedure. Completes the well as a producer or a dry hole. a. If the well is found not to be productive, go to 5. b. If the well is found to be productive, go to 4.	30-730
4	DO/ Chief, Fluids Section	4. The DO approves all operations on the communitized area if the well is on Federal lands. Otherwise, the DO is provided a courtesy <u>copy</u> by the applicant. In any case, production inspections are performed routinely on the communitized well.	30



OIL AND GAS  
UNITIZATION AGREEMENTS

Step	Office/ Responsible Person	Action	Time to Complete Step (Days)
12	Operator	12. When production from a unit well ceases or if the well was completed as a dry hole, plugs the well with approval by the DO.	30
13	972/ Chief, BFSM	13. Upon cessation of unit production or at the end of 5-year term of the unit agreement, whichever is longer, terminates the unit agreement, grants appropriate <u>lease extensions</u> and the closes file.	1855-N

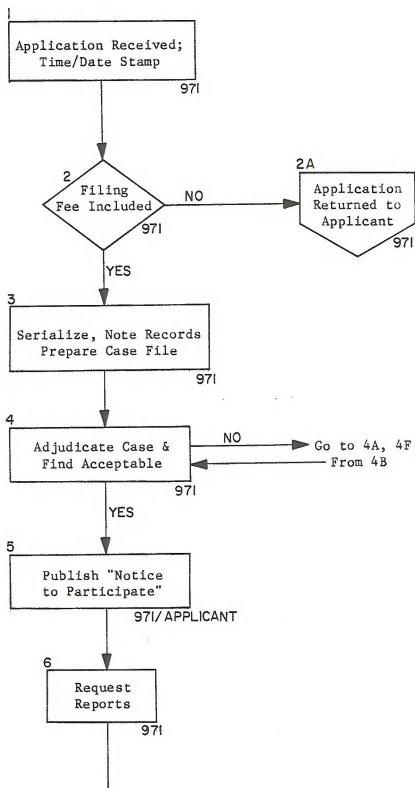


## COAL EXPLORATION LICENSE

The purpose of this procedure is to allow for the timely identification of Federal coal reserves by private industry for eventual lease and development.

This procedure implements Section 4 of the Federal Coal Leasing Amendments Act of 1975 (90 Stat. 1083). Implementing regulations are found at 43 CFR 3410, and agency guidance in Bureau Manual 3410.

COAL EXPLORATION LICENSE





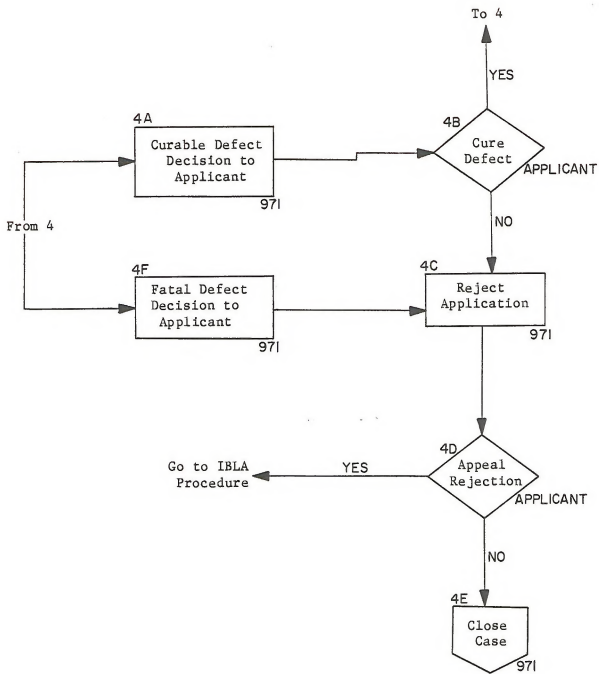
# COAL EXPLORATION LICENSE

Step	Office/ Responsible Person	Action	Time to Complete Step (Days)
1	971/ Mail Room or Public Room	1. <u>Application</u> is: a. received (3 copies), b. date stamped.	1
2	971/ Accounts	2. Filing fee included: a. If yes, deposits the <u>filing fee</u> to the appropriate account, go to 3. b. If no, go to 2A.	1
2A	971/ Accounts	2A. Return the entire appli- cation intact with a <u>letter</u> stating that it cannot be accepted without the required filing fee.	
3	971/ Dockets	3. a. A <u>case file</u> is prepared and serialized, b. the records are noted, c. ALMRS entries are made, and d. the case is assigned to the appropriate Adjudication Team.	5
4	971/ Adjudicator	4. The application is evaluated with respect to the criteria of 43 CFR 3410.1-1 (lands subject to exploration licenses), and 43 CFR 3410.2-1(a), (b) (applica- tion requirements). a. Application is complete and acceptable, go to 5, b. application is incomplete, go to 4A, c. application is unaccept- able, go to 4F.	3



# COAL EXPLORATION LICENSE

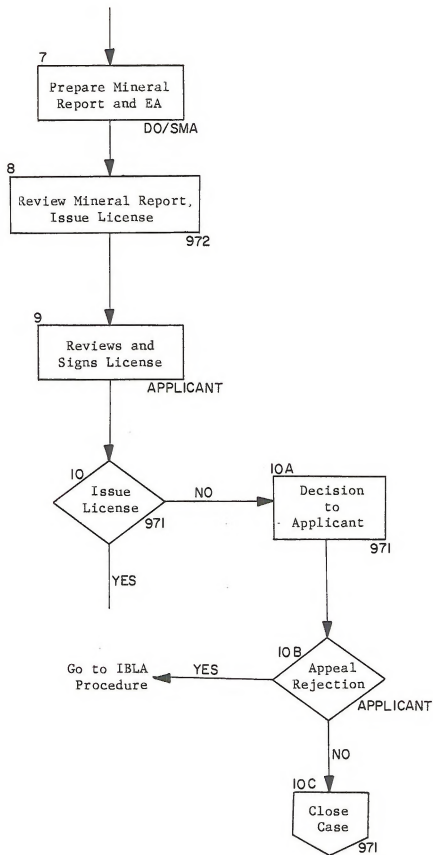
Step	Office/ Responsible Person	Action	Time to Complete Step (Days)
5	971/ Adjudication and Applicant	5. a. A <u>"Notice to Participate"</u> in the proposed explora- tion program is publish- ed for 2 consecutive weeks in a local news- paper by the applicant, and b. concurrently in the <u>Federal Register</u> by BLM.	30
6	971/ Adjudicator	6. Requests an EA, special stipulations and consent from the SMA if applic- able, or requests an EA plus special stipulations from the appropriate DO (43 CFR 3410.2-2 thru .2-6).	3



# COAL EXPLORATION LICENSE

Step	Office/ Responsible Person	Action	Time to Complete Step (Days)
4A	971/ Adjudicator	4A. Prepares and mails (certified, return receipt requested) a <u>Decision</u> to the applicant allowing 30 days to correct defect(s) in the application - failure to respond will result in rejection.	10
4B	Applicant	4B. a. Corrects the deficiency; go to 4. b. Deficiency is not corrected, go to 4C.  NOTE: Steps 4A and 4B may Cycle more than once.	30-N
4C	971/ Adjudicator	4C. Applicant does not respond by either correcting the deficiency or appealing the <u>Decision</u> (4A) - by <u>Decision</u> the application is rejected, with right to appeal (43 CFR 4, Subpart B & E).	10
4D	Applicant	4D. Applicant a. appeals the <u>Decision</u> (4C); go to IBLA Procedure. b. does not respond; go to 4E.	30
4E	971/ Adjudicator	4E. Closes case - file returned to Dockets for storage.	10
4F	971/ Adjudicator	4F. Fatal defect - write decision to applicant. Go to 4C.	

N = Time not Known



# COAL EXPLORATION LICENSE

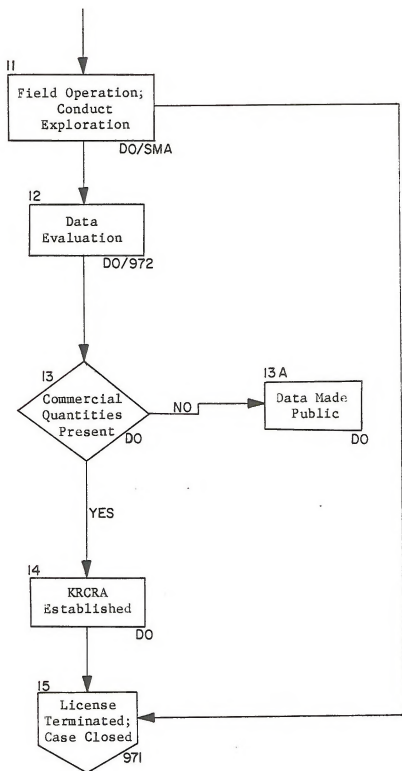
Step	Office/ Responsible Person	Action	Time to Complete Step (Days)
7	DO and/or SMA	<p>7. Prepares Mineral Report/EA.</p> <p>a. An EA (with mitigating measures) is prepared by the agency with surface management responsibilities - the DO if the surface is private.</p> <p>b. A <u>coal resources assessment report</u> including recommended stipulations for exploratory procedures, acceptance of exploration plan, and determination of reclamation bond amount (but not less than \$5,000 - 43 CFR 3410.3-5(b)) is prepared by the DO.</p>	45
8	970/ DSD-Mineral Resources	8. Reviews mineral report and determines that coal is not present in commercial quantities. Recommends issuance of the license.	10
9	Applicant	9. Reviews and signs license.	30
10	970/ DSD-Mineral Resources 971/ Legal Clerk	<p>10. Issues <u>coal exploration license</u> if it is determined that the area is not and cannot be classified as a KRCRA - term: 43 CFR 3410.3.1.</p> <p>a. Records noted.</p> <p>b. Enter into ALMRS.</p> <p>c. If yes, go to 11.</p> <p>d. If no (i.e., the area can be classified a KRCRA), go to 10A.</p>	5
10A	970/ DSD-Mineral Resources	10A. A <u>Decision</u> rejecting the application is sent to the applicant. Applicant has 30 days to appeal the decision.	10





# COAL EXPLORATION LICENSE

Step	Office/ Responsible Person	Action	Time to Complete Step (Days)
10B	Applicant	10B. Appeals the decision; go to IBLA Procedure.	30
10C	971/ Adjudicator	10C. Applicant does not appeal - case closed; file returned to Dockets for storage.	10



# COAL EXPLORATION LICENSE

Step	Office/ Responsible Person	Action	Time to Complete Step (Days)
11	SMA/DO	11. Field operations: a. Inspect operations. b. Reclamation. c. Field operations are not conducted, go to 15.	730-N
12	DO/ 972	12. Exploration data are evaluated to determine whether or not coal resources of commercial quantities are present.	20
13	DO/ Geologist	13. Decides commercial quan- tities are present. a. If yes, go to 14. b. Decides commercial quantities are not present; go to 15A.	5
13A	DO/ DM	13A. Publishes a <u>notice</u> that exploration data are available for public use.	
14	DO/ Geologist	14. Defines a KRCRA, and a. publishes <u>notice</u> in the <u>Federal Register</u> , and b. publishes a <u>notice</u> that exploration data are available for public use.	5
15	971/ Adjudicator	15. License terminates - case is closed, and file returned to Dockets for storage.	5

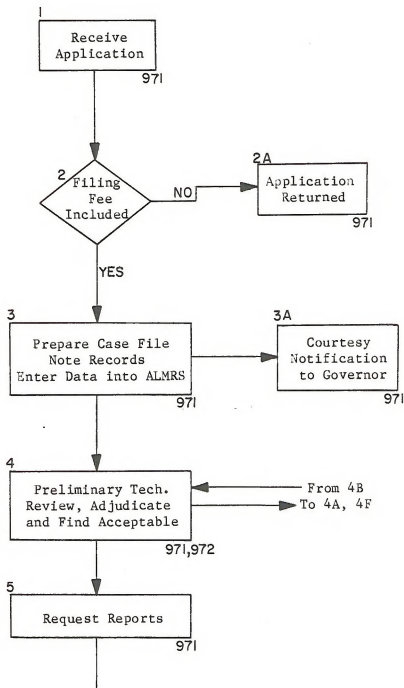


#### COAL LEASE BY APPLICATION

The purpose of this procedure is to allow for the timely development of Federal coal reserves by private industry.

This procedure implements Section 1 of the Federal Coal Leasing Amendments Act of 1975 (90 Stat. 1083). Implementing regulations are found at 43 CFR 3425 and agency guidance in Bureau Manual 3425.

COAL LEASE BY APPLICATION



# COAL LEASE BY APPLICATION

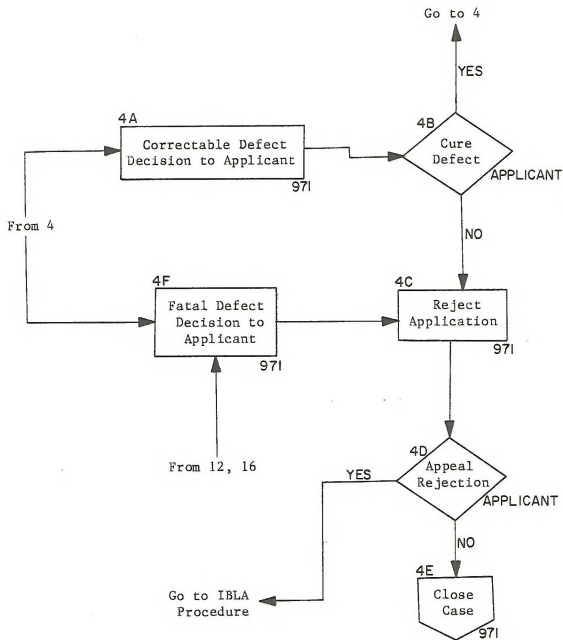
Step	Office/ Responsible Person	Action	Time to Complete Step (Days)
1	951/ Mail Room or 971/ Public Room	1. Received <u>application</u> is: a. date stamped, and b. forwarded to Accounts.	1
2	971/ Accounts	2. Filing fee is included: a. If yes, deposits the <u>filing fee</u> to the appropriate account, go to 3. b. If no filing fee, go to 2A.	1
2A	971/ Accounts	2A. When the fee is not in- cluded the entire appli- cation is returned intact with a <u>letter</u> that it cannot be accepted without the required filing fee.	1
3	971/ Dockets	3. Prepare <u>case file</u> : a. Note the records b. ALMRS entries are made, and c. Assign case to the ap- propriate Adjudication Team. d. Go to 3 and 3A simulta- neously.	5
3A	971/ Adjudicator	3A. Send courtesy notification <u>letter</u> to the appropriate State Governor.	5
4	971/ Adjudicator 972/ Geologist	4. Make a preliminary adjudi- cation of the application per 43 CFR 3425.1-3 (appli- cant qualifications of 3472; see Manual 3425.14 steps 11 through 17) and a technical review of the data required by 43 CFR 3425.1-7. a. Application is acceptable, go to 5. b. Correctable defect, go to 4A. c. Fatal defect, go to 4F.	20





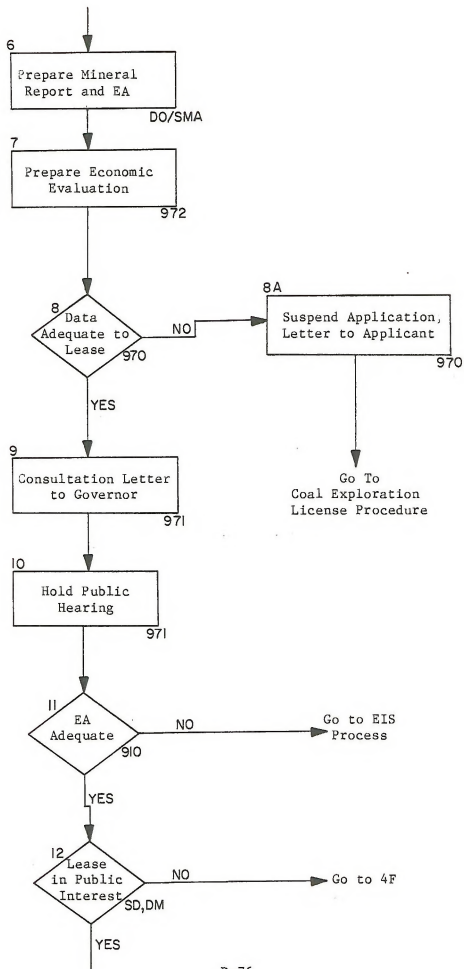
# COAL LEASE BY APPLICATION

Step	Office/ Responsible Person	Action	Time to Complete Step (Days)
5	971/ Adjudicator	5. Requests an EA, special stipulations and consent from the SMA if applicable; or requests an EA, special stipulations, a geologic report and written surface owner consent, if appropriate, from the DO.	5



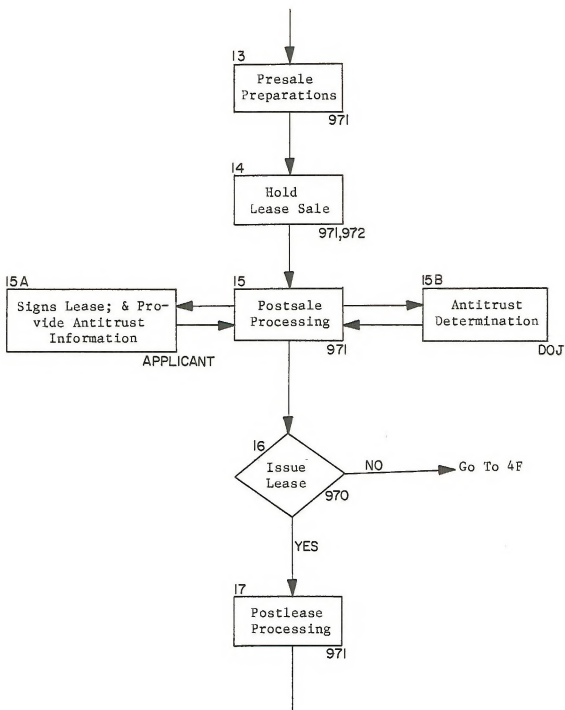
# COAL LEASE BY APPLICATION

Step	Office/ Responsible Person	Action	Time to Complete Step (Days)
4A	971/ Adjudicator	4A. Prepares and mails (certified, return receipt requested) a <u>Decision</u> to the applicant allowing 30 days to correct a defect(s) in the application - failure to respond will result in rejection.	10
4B	Applicant	4B. Corrects the deficiency: a. If yes, go to 4. b. Neither corrects the deficiency nor responds, go to 4C.	45
4C	971/ Adjudicator	4C. By <u>Decision</u> reject the application with right to appeal (43 CFR 4, Subparts B & E).	15
4D	Applicant	4D. a. Appeals the Decision (4C): If yes, go to IBLA Procedure. b. Does not respond, or does not appeal, go to 4E.	--
4E	971/ Adjudicator	4E. Closes case - file returned to Dockets for storage.	5
4F	971/ Adjudicator	4F. Defect in the application cannot be corrected, go to 4C.	



# COAL LEASE BY APPLICATION

Step	Office/ Responsible Person	Action	Time to Complete Step (Days)
6	DO and/or SMA	6. Prepares an <u>EA</u> with mitigating measures by the SMA and gives <u>consent to lease</u> - or the DO prepares EA and obtains surface owner consent (Manual 1791, 3425.3); DO also prepares a mineral report (Manual 3425.19 and eventually 3980).	45
7	972/ Minerals Economist	7. Prepares an <u>economic evaluation</u> report (FMV) of the coal resources/ reserves (Manual 3425.4 reserves (Manual 3425.4 step 5, a-d).	30
8	970/ DSD-Mineral Resources	8. Determines that the coal resources data are adequate and recommends leasing. a. If yes, go to 9. b. If no, go to 8A.	5
8A	970/ DSD-Mineral Resources	8A. Resource data is insufficient to allow leasing - application is suspended and by <u>letter</u> the applicant is urged to file a coal exploration license application.	
9	971/ Adjudicator	9. Sends <u>consultation letter</u> to the appropriate State governor.	5
10	971/ Adjudicator	10. Hold public hearing (Manual 3425.4 step 3).	35
11	910/ SD	11. Determines that the EA and FMV are adequate after 30 day comment period. a. If yes, go to 12. b. If no, go to EA/EIS Process.	30
12	910/ SD	12. Determines that leasing is in the public interest. a. If yes, go to 13. b. If no, go to 4F.	5



# COAL LEASE BY APPLICATION

Step	Office/ Responsible Person	Action	Time to Complete Step (Days)
13	971/ Adjudicator	<p>13. Takes all actions necessary to hold a lease sale (Manual 3425.4 steps 9-12) including:</p> <ul style="list-style-type: none"> <li>a. arranges for sale locations/facility,</li> <li>b. assembles lease items and conditions,</li> <li>c. prepares <u>sale notice</u> (43 CFR 3422.2(b)),</li> <li>d. publishes sale notice in newspaper and <u>Federal Register</u>,</li> <li>e. sends <u>letter</u> with copies of the sale notice to Governor and interested parties, and</li> <li>f. posts sale notice in the public room.</li> </ul> <p>NOTE: No notice of sale shall be published unless the authorized officer has received written consent from the qualified surface owner(s) as application (43 CFR 3425.4(3)).</p>	60
14	971/ Adjudicator	14. Holds the sale per 43 CFR 3423.3-1(a).	1





# COAL LEASE BY APPLICATION

Step	Office/ Responsible Person	Action	Time to Complete Step (Days)
15	971/ Adjudicator 972/ "Sales Panel"	15. Postsale Processing Determines: a. if the high bid was properly submitted; b. if it reflects the FMV of the tract; and c. whether the bidder is qualified to hold the lease (43 CFR 3422.3-1(b)). d. Notifies successful bidder in <u>writing</u> and prepares <u>decision</u> requiring: first year's rental; balance of bonus bid, if not deferred; publication cost of sale notice; bond; information for antitrust review, if not submitted already (see 43 CFR 3422.3-4), and four copies of the lease for execution (43 CFR 3422.3-1(a)). e. Go to 15A & 15B simultaneously.	60
15A	Applicant	15A. Executes the lease and provides, if not already submitted, antitrust information.	45
15B	DOJ	15B. Determines whether or not lease issuance will result in an antitrust violation (43 CFR 3422.3-4(e)-(g)).	30
16	970/ DSD-Mineral Resources	16. Executes the <u>lease</u> on behalf of the Federal Government (43 CFR 3425.4 step 15). a. If yes, go to 17. b. If no, go to 4F.	5



# COAL LEASE BY APPLICATION

Step	Office/ Responsible Person	Action	Time to Complete Step (Days)
17	971/ Adjudicator	<p>17. Postlease Processing:</p> <ul style="list-style-type: none"> <li>a. Issues lease, effective the first day of the month following the date of signature (43 CFR 3475.1 and .2).</li> <li>b. Distributes lease <u>copies</u> as follows: original lease in case file, one copy to DO, one copy to OSM (if applicable), and one copy to SMA (if applicable).</li> <li>c. Completes <u>accounting advices</u>: "green" copy to accounts, "yellow" copy to case file.</li> <li>d. If bonus is deferred, prepares <u>suspense card</u> for timely preparation of decision calling for subsequent installment payment.</li> <li>e. Sends case file to Records, through Dockets, for record notation and current coal plat.</li> <li>f. Checks status if any lands in lease are included in a coal exploration license, <u>cancels license</u> as to lands in conflict (see 43 CFR 3410.3-2). If any lands in the lease are included in an application for, or an exploration license, rejects the application or license to these lands (see 43 CFR 3410.1-1(a)).</li> <li>g. <u>Enters lease information</u> into ACLDS and removes application from the system.</li> </ul>	5



# COAL LEASE BY APPLICATION

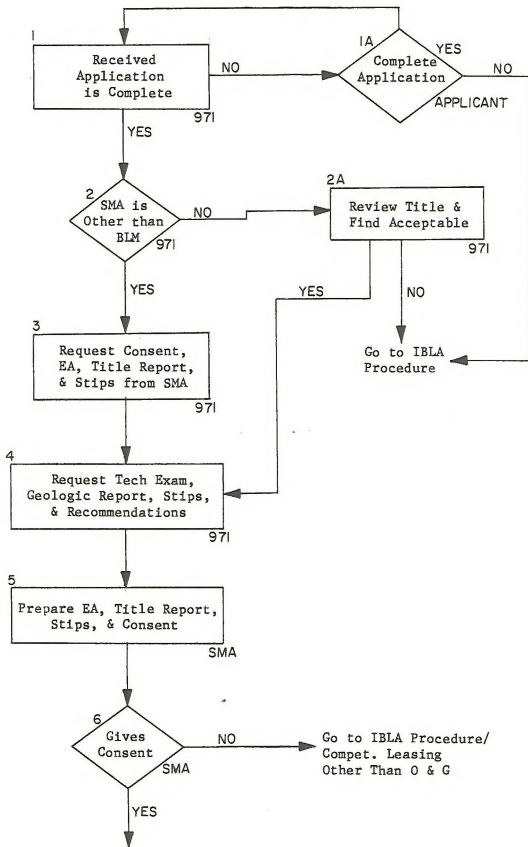
Step	Office/ Responsible Person	Action	Time to Complete Step (Days)
18	DO, SMA, OSM	18. Field Operations: regulates, coordinates, and monitors lease.	18,250
19	Lessee	19. Completes mining and/or allows lease to expire (43 CFR 3475.2).	3,650 - 18,250
20	971/ Adjudicator	20. Closes case: a. Terminates bond. b. <u>Notes records.</u> c. <u>Enters</u> data into ACLDS. d. Stamps case file "dead". e. Takes case file to Dockets for the dead case shelf.	30



#### HARDROCK PROSPECTING PERMIT

This procedure elaborates the process to obtain a permit to prospect for Federal minerals other than oil and gas and coal. The process applies to prospecting on acquired and public domain (within National Forests in Minnesota only) lands. The following laws and regulations mandate the leasing of these minerals: Reorganization Plan No. 3; The Act of June 30, 1950 (for Public Domain Lands in Minnesota); The General Mining Law of 1872, as amended; The Mineral Leasing Act of 1920, as amended; 43 CFR 3500.

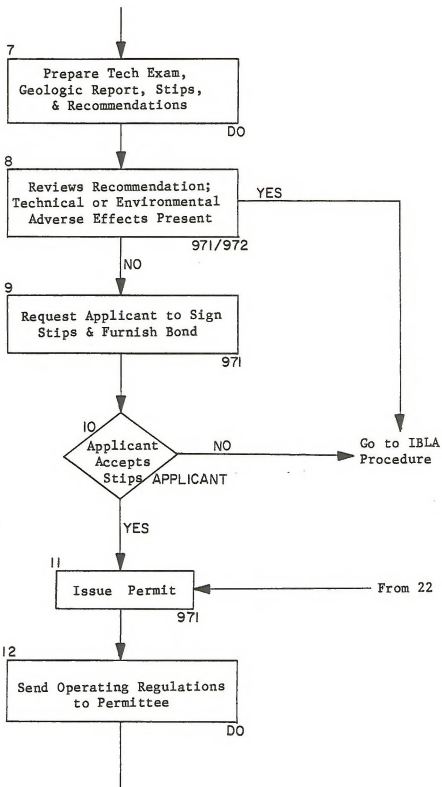
HARDROCK PROSPECTING PERMIT  
(ACQUIRED AND PUBLIC DOMAIN)





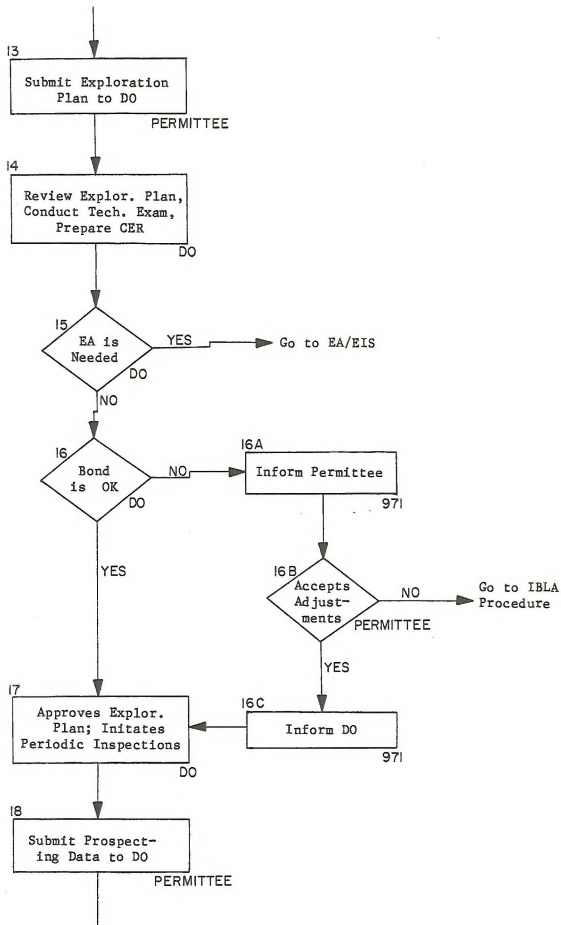
HARDROCK PROSPECTING PERMIT  
(ACQUIRED AND PUBLIC DOMAIN)

Step	Office/ Responsible Person	Action	Time to Complete Step (Days)
1	971/ Accounts, Adjudicator	1. Receives application, and prepares serial case file, and reviews for completeness in accordance with 43 CFR 3500. a. If complete, go to 2. b. If not complete, go to 1A.	1
1A	Applicant	1A. Decides to complete application. a. If yes, go to 1. b. If no, go to IBLA Procedure.	40
2	971/ Status Clerk	2. Determines ownership, and if SMA is other than BLM. a. If yes, go to 3. b. If no, go to 2A.	1
2A	971/ Legal Clerk	2A. Reviews if title is acceptable. a. If it is, go to 4. b. If it is not, reject application, go to IBLA Procedure.	1
3	971/ Legal Clerk	3. Requests title report, consent, EA, title report, and stipulations from SMA.	3
4	971/ Legal Clerk	4. Requests consent, from DO.	3
5	SMA/BLM, DO	5. Prepares consent, title report, EA, stipulations, and forwards to ESO.	80-360
6	SMA/BLM, DO	6. SMA gives consent. a. If SMA does not consent, application is rejected. If DO does not consent due to knowledge that minerals applied for exist on the tract as a valuable deposit, go to competitive leasing other than oil and gas procedures. b. If SMA consents, go to 7.	10-40



HARDROCK PROSPECTING PERMIT  
(ACQUIRED AND PUBLIC DOMAIN)

Step	Office/ Responsible Person	Action	Time to Complete Step (Days)
7	DO/ Geologist Environmental Scientist	7. Prepares technical exam, geologic report, and set environmental stipulations; and forwards to ESO. If land is Public Domain, DO prepares the EA.	30-60
8	971/ Adjudicator	8. Reviews EA recommendation if prepared by BLM to determine if there are adverse effects. May reject application for environmental reasons if they outweigh mineral concerns. a. If rejected, go to IBLA Procedure. b. If not rejected, go to 9.	40
9	971/ Adjudicator	9. Sends stipulations to applicant for signing, and requests applicant furnish bond.	10
10	Applicant	10. Signs stipulations, furnishes bond. a. If yes, go to 11. b. If no, go to IBLA Procedure.	40
11	971/ Adjudicator	11. Issues permit, sending copies to DO and SMA.	2
12	DO/ Mining Engineer	12. Sends operating regulations (43 CFR 3500) to permittee to inform the permittee of the information to be contained in the exploration plan and BLM monitoring procedures.	5



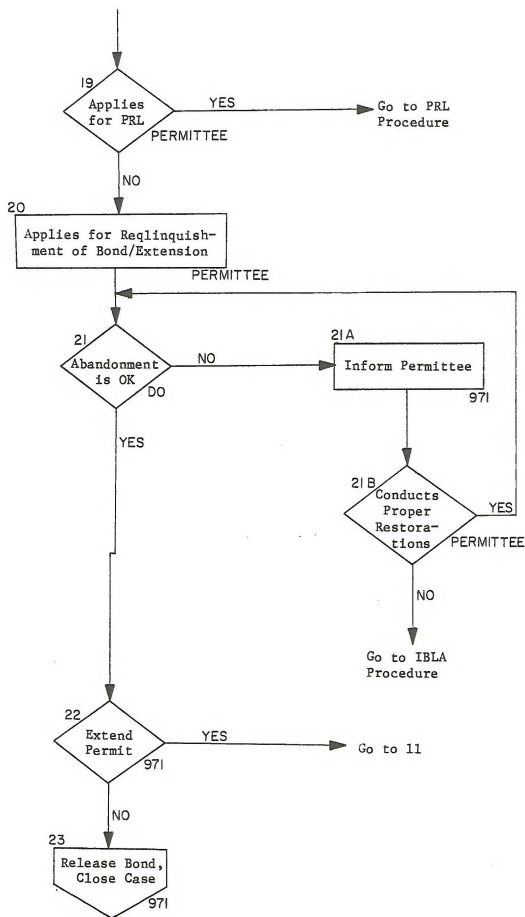
HARDROCK PROSPECTING PERMIT  
(ACQUIRED AND PUBLIC DOMAIN)

Step	Office/ Responsible Person	Action	Time to Complete Step (Days)
13	Permittee	13. Submits exploration plan to DO.	--
14	DO/ Mining Engineer, Geologist, Environ- mental Scientist	14. a. Reviews exploration plan to assure compliance with the requirements of the regulations and no occurrence of adverse impacts on aquifers and surface environment. b. If necessary, conducts a site investigation exam. c. Prepares a CER.	30
15	DO/ Chief, Branch of Solids/ Chief, Division of Energy and Minerals	15. The CER will determine if an EA is needed. a. If it is needed, go to EA/EIS process. b. If not, go to 16.	3
16	DO/ Environmental Scientist	16. Assures that amount of bond is adequate to cover costs for reclaiming the surface and subsurface disturbance due to the operations. a. If yes, go to 17. b. If no, go to 16A.	10
16A	971/ Adjudicator	16A. Informs permittee of need for additional bond coverage.	5
16B	Permittee	16B. Accepts increase in bond amounts. a. If yes, go to 16C. b. If no, go to IBLA Procedure.	40
16C	971/ Adjudicator	16C. Informs DO of permittees decision.	5



HARDROCK PROSPECTING PERMIT  
(ACQUIRED AND PUBLIC DOMAIN)

Step	Office/ Responsible Person	Action	Time to Complete Step (Days)
17	DO/ DM, Geologist, Mining Engineer, Environmental Scientist	17. a. DM approves exploration plan. b. Inspects the approved operations in accordance with appropriate regula- tions.	2
18	Permittee	18. Submits all data from the prospecting operation.	--





HARDROCK PROSPECTING PERMIT  
(ACQUIRED AND PUBLIC DOMAIN)

Step	Office/ Responsible Person	Action	Time to Complete Step (Days)
19	Permittee	19. If the permittee believes that he/she has discovered the mineral prospected for, he/she may apply for a PRL. a. If he/she applies, go to PRL Procedure. b. Does not apply, go to 20.	--
20	Permittee	20. If permittee applies for relinquishment of bond, adjudication will terminate the permit and request DO to report on bond relinquishment.  If permittee applies for an extention, adjudication will request a report and recommendation from DO and SMA.	5  5
21	SMA/BLM, DO	21. a. If permittees abandonment is adequate, DO informs ESO that abandonment was properly conducted. b. If abandonment was not adequate, go to 21A.	30
21A	971-972/ Adjudicator, Geologist, Environmental Scientist	21A. Inform permittee and propose adequate restoration measures, if necessary.	10
21B	Permittee	21B. Conducts proper restorations. a. If yes, go to 21. If disagrees with DO assessment. b. If not, go to IBLA Procedure.	



HARDROCK PROSPECTING PERMIT  
(ACQUIRED AND PUBLIC DOMAIN)

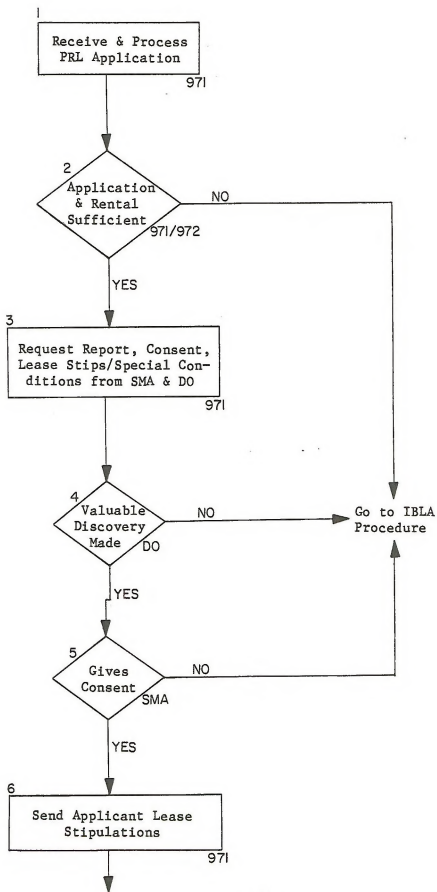
Step	Office/ Responsible Person	Action	Time to Complete Step (Days)
22	971/ Adjudicator	22. a. If the DO and SMA recom- mendations are favor of extend permit; Go to 11. b. If not, go to 23.	--
23	971/ Adjudicator	23. Release bond and close case.	3



## HARDROCK PREFERENCE RIGHT LEASE

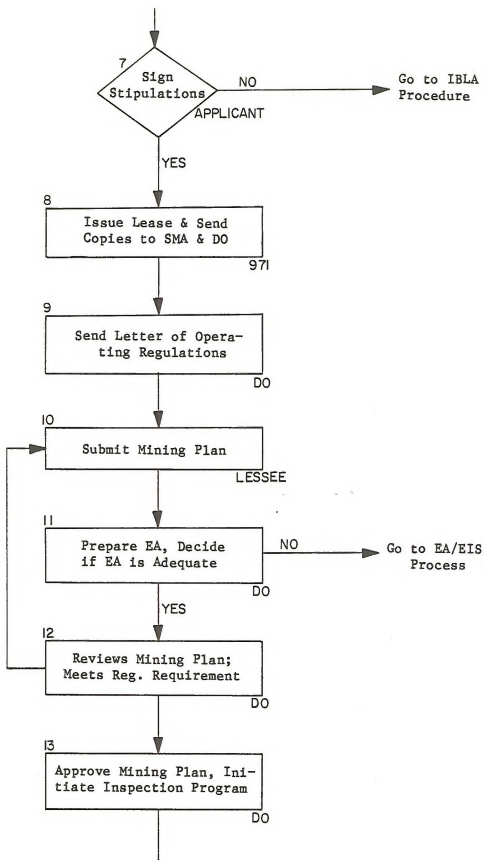
The preference right lease procedure describes the process in which a holder of a prospecting permit on acquired lands can obtain a hardrock lease. It also demonstrates the Bureau of Land Management's activities in lease adjudication and supervision of mining operations. The following laws and regulations mandate the lease of these minerals: Reorganization Plan No. 3; The Act of June 30, 1950 (for Public Domain Lands in Minnesota); The General Mining Law of 1872, as amended; The Mineral Leasing Act of 1920, as amended; 43 CFR 3500.

HARDROCK PREFERENCE RIGHT LEASE



## HARDROCK PREFERENCE RIGHT LEASE

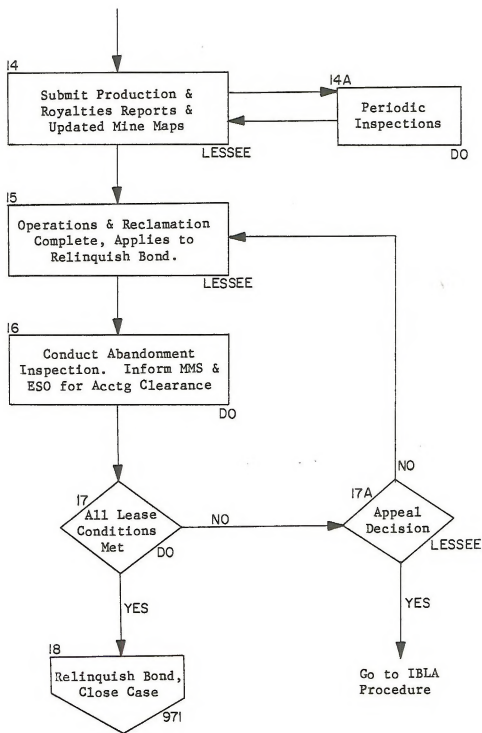
Step	Office/ Responsible Person	Action	Time to Complete Step (Days)
1	971/ Accounts	1. Receives application, dates and time stamps.	1
2	971/ Adjudicator	2. Checks for application completeness, timeliness, and sufficiency of rental. a. If as above, go to 3. b. If not as above, go to IBLA Procedure.	5
3	971/ Legal Clerk	3. Requests report, consent, stipulations, special conditions and EA from SMA/DO, as appropriate.	1
4	DO/ Geologist, Mining Engineer	4. Reports on whether valuable discovery was made in accordance with 43 CFR 3520.1-1(c). a. If valuable discovery made, go to 3. b. If valuable discovery not made, go to IBLA Procedure.	30-40
5	SMA	5. Consents to leasing subject to stipulations. a. If yes, go to 6. b. If no, go to IBLA Procedure.	30-60
6	971/ Adjudicator	6. Sends stipulations to applicant. Requests stipulations to be signed and possibly greater bond coverage.	10





## HARDROCK PREFERENCE RIGHT LEASE

Step	Office/ Responsible Person	Action	Time to Complete Step (Days)
7	Applicant	7. Accepts and signs stipulations and furnishes appropriate bond. a. If yes, go to 8. b. If no, go to IBLA Procedure.	40
8	971/ Adjudicator	8. Issues lease and furnishes copies to DO and SMA.	1
9	DO/ Mining Engineer	9. Sends letter of operating regulations which states the requirements for the mining plan (43 CFR 3500).	5
10	Lessee	10. Submits plan to DO.	--
11	DO/ Environmental Specialist	11. Prepares an EA and decides if an EIS is needed due to the impacts from mining. a. If EA is adequate, go to 11. b. If EA is not adequate, go to EA/EIS process.	30-60
12	DO/ Mining Engineer	12. Reviews mining plan and finds compliance with the requirements. a. If yes, go to 13. b. If no, go to 10.	30-40
13	DO/ Mining Engineer, DM	13. DM approves the mining plan and inspects the mining operation in accordance with appropriate regulations.	--



## HARDROCK PREFERENCE RIGHT LEASE

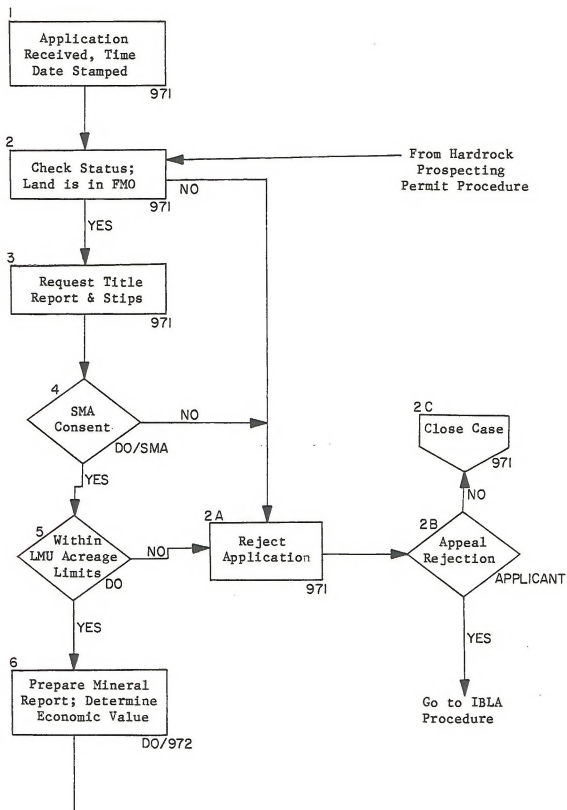
Step	Office/ Responsible Person	Action	Time to Complete Step (Days)
14	Lessee	14. Submits production and royalty reports, and updated mine maps to the DO.	30
14A	DO/ Mining Engineer	14A. Inspects mining operations.	
15	Lessee	15. Applies for relinquishment of the bond after the mining and reclamation operations are completed.	--
16	DO/ Mining Engineer, Environmental Scientist	16. Conducts abandonment inspection to insure lease and mining plan compliance, and informs MMS and ESO for accounting clearance.	30-60
17	DO/ Mining Engineer	17. All lease conditions are met. a. If yes, the DM will inform ESO to relinquish the bond; go to 18. b. If no, DO will inform lessee and not relinquish the bond; go to 17A.	30-60
17A	Lessee	17A. Lessee appeals. a. If yes, go to IBLA Procedure. b. If no, lessee meets conditions, go to 15.	30
18	971/ Adjudicator	18. Relinquish period of liability and close the case.	2



COMPETITIVE LEASING OF MINERALS OTHER THAN  
OIL AND GAS

These procedures are followed for leasing and development of federally owned minerals other than coal, geothermal, and oil and gas. The following is a graphic representation of 43 CFR 3500 which are the regulations for the leasing of these minerals. The Mineral Leasing Act of 1920, the Acquired Lands Leasing Act of 1947, and the Reorganization Act, Plan No. 3 are the statutory authority for these procedures. The procedures outlined here are initiated by the receipt of a letter or application from the public expressing interest in leasing federally owned minerals other than coal, geothermal, and oil or gas. The minerals considered here are all leasable and locatable minerals other than coal, geothermal, and oil and gas as defined by the above laws. These procedures constitute a major part of Bureau of Land Management's solid mineral leasing program.

COMPETITIVE LEASING OF MINERALS OTHER THAN OIL AND GAS



COMPETITIVE LEASING OF MINERALS  
OTHER THAN OIL AND GAS

Step	Office/ Responsible Person	Action	Time to Complete Step (Days)
1	971/ Accounts	1. Receives request for competitive leasing and dates/time stamps request.	5*
2	971/ Adjudicator	2. Determines if land is FMO and whether conflicting leases exist. a. If FMO, go to 3. b. If a conflict exists, go to 2A.	
2A	971/ Adjudicator	2A. Reject application.	
2B	Applicant	2B. Decides whether or not to appeal rejection. a. If yes, go to IBLA Procedure. b. If no, go to 2C.	
2C	971/ Adjudicator	2C. Closes case.	
3	971/ Adjudicator	3. Sends for title report, consent and EA from SMA; mineral evaluation from DO. a. If BLM has surface jurisdiction EA alone is required. b. If COE is SMA, DO prepares EA.	90 to 180**
4	DO/SMA	4. Reviews application and provides consent. a. If yes, go to 5. b. If no, go to 2A. c. Provides title report and EA.	

\* - This amount of time includes steps 1 through 2C.

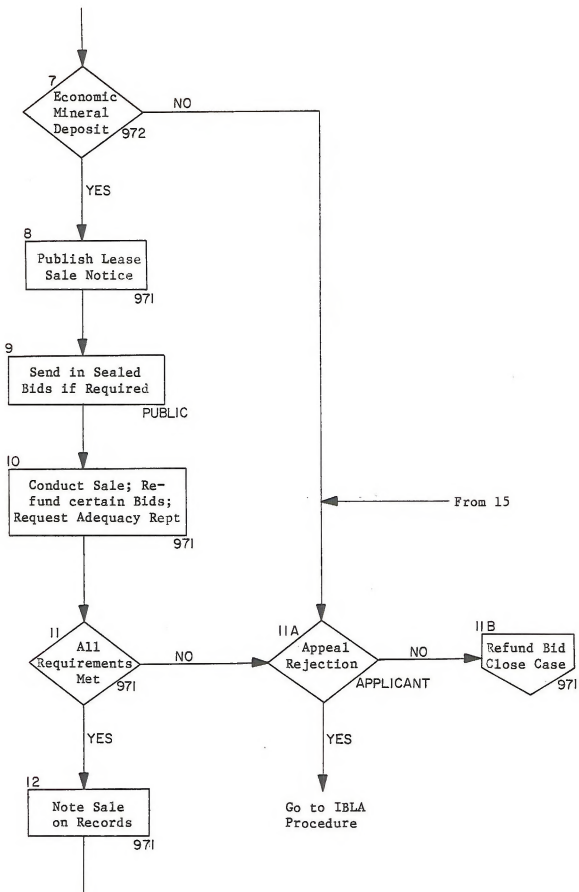
\*\* - This amount of time includes steps 3 through 8.





COMPETITIVE LEASING OF MINERALS  
OTHER THAN OIL AND GAS

Step	Office/ Responsible Person	Action	Time to Complete Step (Days)
5	DO/ Mining Engineer	5. Determines if application is in LMU. a. If yes, go to 6. b. If no, go to 2A.	
6	DO/ Geologist 972/ Mineral Economist	6. Prepares mineral report. Sets economic value for valuable deposits.	

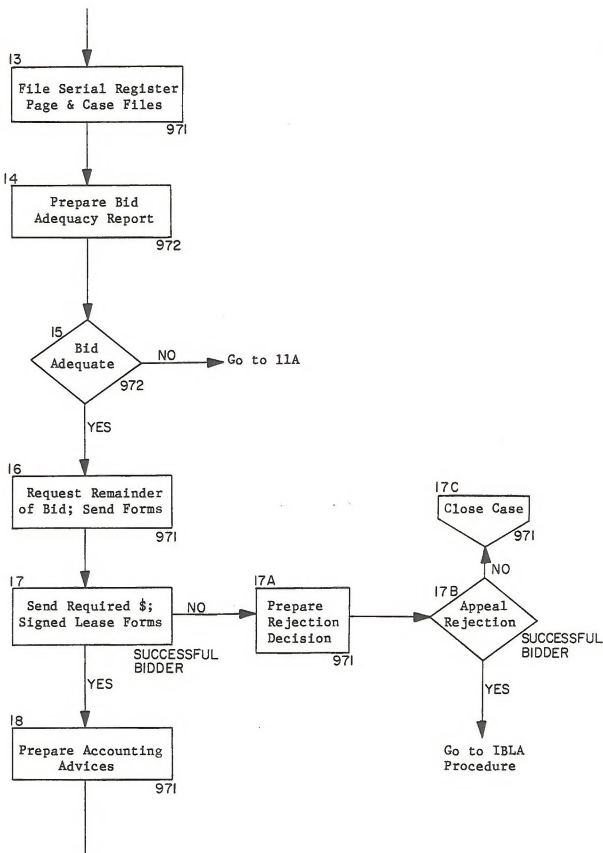


COMPETITIVE LEASING OF MINERALS  
OTHER THAN OIL AND GAS

Step	Office/ Responsible Person	Action	Time to Complete Step (Days)
7	972/ Mineral Economist	7. Determine if a valuable deposit. a. If yes, go to 8. b. If no, reject application; go to 11A.	
8	971/ Adjudicator	8. Prepares sale notice and publishes with date of sale.	
9	Public	9. Submits sealed bids prior to sale date.	60***
10	971/ Adjudicator	10. Conducts sale and announces high bidders. Refunds remaining bids. Requests bid adequacy report from 972.	
11	971/ Adjudicator	11. Checks to ensure that high bidder met all requirements. a. If yes, go to 12. b. If no, go to 11A.	60****
11A	Applicant	11A. Decides whether or not to appeal rejection. a. If yes, go to IBLA Procedure. b. If no, go to 11B.	
11B	971/ Adjudicator	11B. Closes case. If rejected because of inadequate bid, refund bid.	
12	971/ Status Clerk	12. Posts new serial number to records for those parcels.	

\*\*\* - This amount of time includes steps 9 and 10

\*\*\*\* - This amount of time includes steps 11 through 21



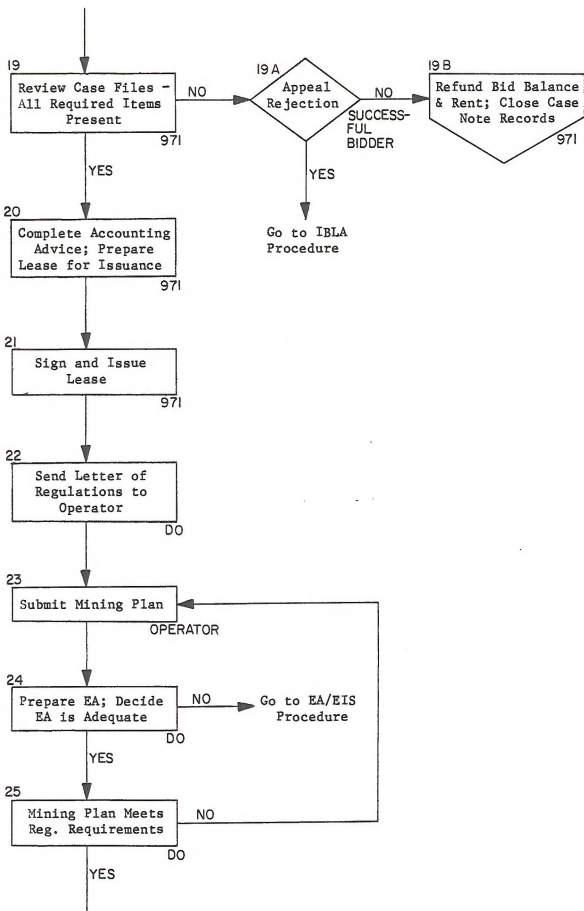
COMPETITIVE LEASING OF MINERALS  
OTHER THAN OIL AND GAS

Step	Office/ Responsible Person	Action	Time to Complete Step (Days)
13	971/ Dockets	13. Prepares Serial Register Page by entering data into ALMRS and assembles case file.	
14	972/ Mineral Economist	14. Prepares report on adequacy of high bids.	
15	972/ Mineral Economist	15. Determines whether high bid is acceptable. a. If yes, go to 16. b. If no, go to 11A.	
16	971/ Adjudicator	16. Sends decision accepting or rejecting high bid. a. Requests that acceptable bidder sign lease form and submit remaining bonus, first year's rental, and advertising costs. b. Rejects unacceptable bids with right of appeal.	
17	Successful Bidder	17. Signs lease forms and submits required monies. a. If yes, go to 18. b. If no, go to 17A.	
17A	971/ Adjudicator	17A. Prepares decision holding applications/lease for rejection. a. If the successful bidder sends in rent, bonus bid and signed lease forms, go to 18. b. If not, go to 17B.	
17B	Successful Bidder	17B. Decides whether or not to appeal rejection. a. If yes, go to IBLA Procedure. b. If no, go to 17C.	



COMPETITIVE LEASING OF MINERALS  
OTHER THAN OIL AND GAS

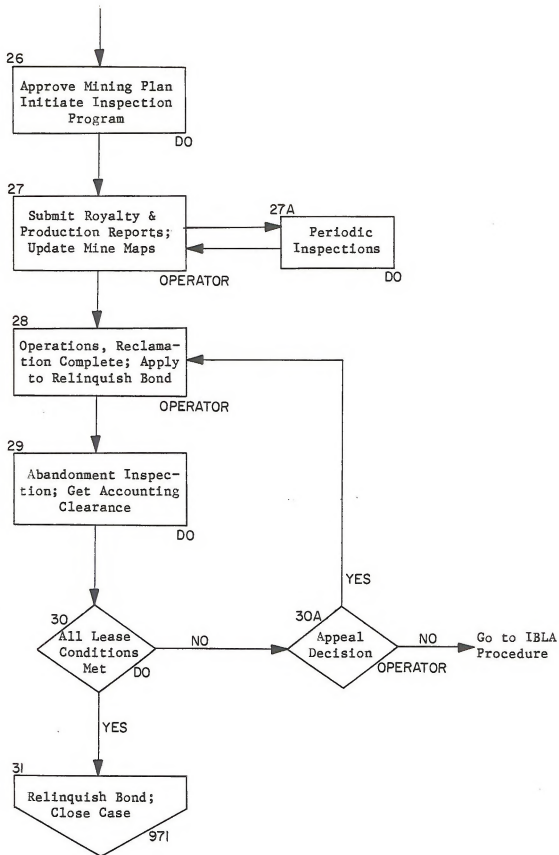
<u>Step</u>	<u>Office/ Responsible Person</u>	<u>Action</u>	<u>Time to Complete Step (Days)</u>
17C	971/ Adjudicator	17C. Closes Case.	
18	971/ Accounts	18. Dates and time stamps lease forms received and prepares Accounting Advice.	





COMPETITIVE LEASING OF MINERALS  
OTHER THAN OIL AND GAS

Step	Office/ Responsible Person	Action	Time to Complete Step (Days)
19	971/ Adjudicator	19. Reviews case file to see if all requirements are met. a. If yes, go to 20. b. If no, go to 19A.	
19A	Successful Bidder	19A. Decides whether or not to appeal rejection. a. If yes, go to IBLA Procedure. b. If no, go to 19B.	
19B	971/ Adjudicator	19B. Refunds bid balance and rent. Closes case, notes records.	
20	971/ Adjudicator	20. Prepares lease forms for issuance and completes Accounting Advices.	
21	971/ Section Chief	21. Signs and issues lease.	
22	DO/ Mining Engineer	22. Sends letter of operating regulations which states the requirements for the mining plan (43 CFR 3500).	5
23	Operator	23. Submits mining plan to DO.	--
24	DO/ Environmental Scientist	24. Prepares an EA and decides if an EA adequately covers impacts from mining. a. If yes, go to 25. b. If no, go to EA/EIS Procedure.	30-60
25	DO/ Mining Engineer	25. Reviews mining plan for compliance with the requirements. a. If complies, go to 26. b. If does not comply, go to 23.	30-40



COMPETITIVE LEASING OF MINERALS  
OTHER THAN OIL AND GAS

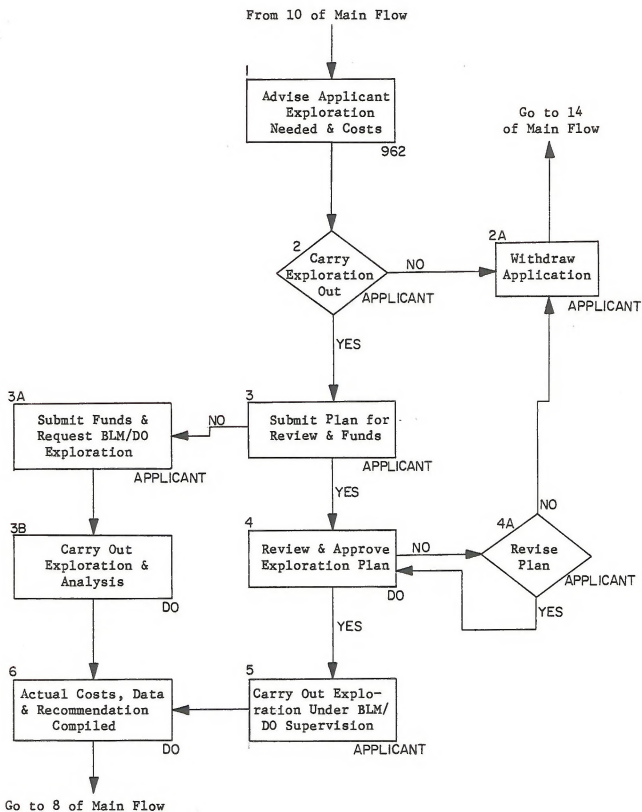
Step	Office/ Responsible Person	Action	Time to Complete Step (Days)
26	DO/ DM	26. Approves the mining plan and initiates inspection program.	--
27	Operator	27. Submits production and royalty reports, and updated mine maps to the DO.	30
27A	DO/ Mining Engineer	27A. Inspects the mining operation at least four times per year.	
28	Operator	28. Applies for relinquishment of the bond after the mining and reclamation operations are completed.	--
29	DO/ Mining Engineer	29. Conducts abandonment inspection to insure lease and mining plan compliance, and informs MMS and ESO for accounting clearance.	30-60
30	DO/ Mining Engineer	30. If all lease conditions are met, the DM will inform ESO. a. If met, go to 31. b. If not met, go to 30A.	30-60
30A	Operator	30A. Operator decides to appeal. a. If Lessee appeals, go to IBLA Procedure. b. If he does not appeal, go to 28.	30
31	971/ Adjudicator	31. Relinquish period of liability and close the case.	2



## SECTION "209" (FLPMA) EXPLORATION

The exploration procedure shown here is used only for Section "209" mineral conveyance cases where preliminary investigations have indicated potential mineral value and there is not enough data available to enable a fair market value (FMV) to be determined. These procedures are necessary to collect needed data to assure that the Government receives FMV for the mineral rights applied for under Section "209" of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1719).

"209" APPLICATIONS - EXPLORATION



"209" (FLPMA) APPLICATIONS EXPLORATION

Step	Office/ Responsible Person	Action	Time to Complete Step (Days)
1	962.34/ Land Law Examiner Paralegal Specialist	1. Writes applicant a <u>letter</u> explaining the need for an exploration plan and estimated costs. Give applicant these options: a. having BLM/DO carry out exploration; b. applicant carries out exploration under BLM/DO supervision; or c. withdraw the application.	1-3
2	Applicant	2. Decides whether or not to carry out exploration. a. If yes, go to 3. b. If no, go to 2A.	60
2A	Applicant	2A. Withdraws application. Go to 14 of Main Flow.	60
3	Applicant	3. Decides to carry out exploration himself under BLM/DO supervision and he submits his plans for review and the funds to cover the review and supervision during exploration. a. If yes, go to 4. b. If no, go to 3A.	60
3A	Applicant	3A. Submits funds to cover expenses for having BLM/DO carry out exploration.	60
3B	DO/ Geologist	3B. BLM/DO carries out exploration and data analysis. Go to 6.	30-180





"209" (FLPMA) APPLICATIONS EXPLORATION

Step	Office/ Responsible Person	Action	Time to Complete Step (Days)
4	DO/ Geologist	4. Applicant's exploration plan is reviewed and approved; a. If yes, go to 5. b. If plan is not approved the plan is sent back to the applicant for revision; go to 4A.	90
4A	Applicant	4A. Revises exploration plan and submits plan to DO for review. a. If yes, go to 4. b. If no, go to 2A.	60
5	Applicant	5. Carries out exploration under BLM/DO supervision and approval. Applicant turns <u>data</u> over to BLM/DO for analysis.	30-180
6	DO/ Geologist	6. Compiles <u>data</u> , makes <u>recommendations</u> on mineral occurrence and determines actual costs of exploration program. All these data are sent to the ESO Industrial Economist for evaluation. Go to 8 of Main Flow.	30-60

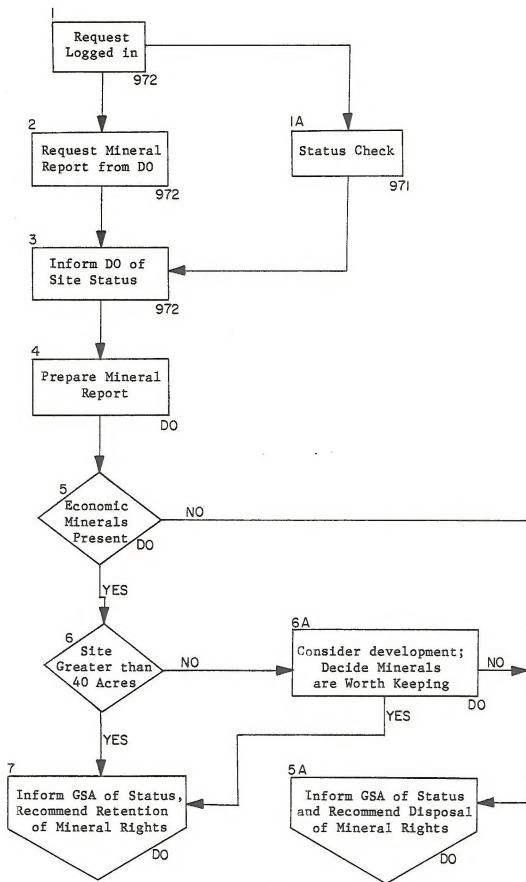


GENERAL SERVICES ADMINISTRATION (GSA)  
EXCESS MINERAL RIGHTS EVALUATION  
(GSA COOPS)

GSA Coops are done in accordance with a Memorandum of Understanding (MOU) between Bureau of Land Management (BLM) and GSA. The MOU establishes the procedures for managing and disposing of mineral resources reported as excess to GSA either with or separate from the surface rights under the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 471 et seq.).

GSA's request for review and comment on potential mineral value to BLM initiates this procedure. Where potentially valuable mineral values are found the mineral estate is reserved to the Federal Government and transferred to BLM's custody. BLM's involvement allows Federal Mineral Ownership with leasing potential to be accounted for and entered into potential workload planning.

GSA COOPS



GSA COOPS  
EXCESS MINERAL RIGHTS EVALUATION

Step	Office/ Responsible Person	Action	Time to Complete Step (Days)
1	972/ Solids Team Geologist	1. Receive request from GSA and log in; set up tracking, requested status check	5*
1A	971/ Appropriate Team or Section (i.e., Northeast Team)	1A. Check leasing history of subject lands. Inform Solids Team, BFSM of findings. Done in parallel with Step 2.	
2	972/ Solids Team Geologist	2. Request mineral report on subject lands from DO.	
3	972/ Solids Team Geologist	3. Inform DO of results of the status check for inclusion in DO response to GSA.	
4	DO/ Geologist	4. Prepare mineral report on the subject lands. This report serves as the main document backing up for subsequent decisions.	35
5	DO/ Geologist	5. As a result of findings in the Mineral Report include whether or not economically valuable minerals exist. a. Go to 5A if there are no economically valuable minerals present. b. Go to 6 if there are economically valuable minerals present.	5**

\* - This amount of time includes steps 1 through 3

\*\* - This amount of time includes steps 5 through 7.



GSA COOPS  
EXCESS MINERAL RIGHTS EVALUATION

Step	Office/ Responsible Person	Action	Time to Complete Step (Days)
5A	DO/ Geologist	5A. Write <u>letter</u> to GSA informing them of leasing history and recommend disposal of mineral rights. a. Send copy of mineral report and response to GSA and to the BFSM.	**
6	DO/Geologist	6. Decide whether area under consideration is equal to or greater than 40 acres in extent. a. If yes, go to 7. b. If area is less than 40 acres, go to 6A.	
6A	DO/Geologist	6A. Decide if the minerals are worth keeping based on likelihood of future development, and how disposal of surface rights would affect future development. a. If mineral rights are worth keeping, go to 7. b. If mineral rights are not worth keeping, go to 5A.	
7	DO/Geologist	7. Write <u>letter</u> to GSA informing them of leasing history and recommend retention of the mineral rights.  Send copy of mineral report and response to GSA and to the BFSM.	

\*\* - This amount of time includes steps 5 through 7





# GLOSSARY OF TERMS

ACHP	Advisory Council on Historic Preservation
ACLDS	Automated Coal Leasing Data System
ADP	Automated Data Processing
ALMRS	Automated Lands and Minerals Records System
APD	Application for Permit to Drill
ATTNY	Attorney
BA	Biological Assessment
BFSM	Branch of Fluid and Solid Minerals
BLM	Bureau of Land Management
C/T	Color-of-Title
CDM	Conservation Division Manual
CER	Categorical Exclusion Review
CFR	Code of Federal Regulations
CI	Criminal Investigator
COE	Corps of Engineers
DA	Data Analyst
DM	District Manager
DO	District Office
DOI/LL	Department of the Interior Law Library
DOJ	Department of Justice
DOTC	District Office Trespass Coordinator
DSC	Denver Service Center
DSO	Deputy State Director
EA	Environmental Assessment
ED	Environmental Document
EIS	Environmental Impact Statement
ESO	Eastern States Office
ESOTC	Eastern States Office Trespass Coordinator
FERC	Federal Energy Regulatory Commission
FLPMA	Federal Land Policy and Management Act
FMO	Federal Mineral Ownership
FMV	Fair Market Value
FR	Federal Register
FRC	Federal Records Center
FWS	Fish and Wildlife Service
FY	Fiscal Year
GIS	Geographic Information System
G.L.O.	General Land Office
GSA	General Services Administration
H/B	Holding/Benefitting
IBLA	Interior Board of Land Appeals
IM	Instruction Memorandum
KGS	Known Geologic Structure
KRCRA	Known Recoverable Coal Resource Area
LEADS	Law Enforcement Assistance Data System
LID	Landsat Inventory and Detection

LMU	Logical Mining Unit
MBO	Management-by-Objectives
MMS	Minerals Management Service
MOA	Memorandum of Agreement
MOU	Memorandum of Understanding
NARS	National Archives and Records System
NEPA	National Environmental Policy Act
NGPA	Natural Gas Policy Act
NOI	Notice of Intent
NORA	Notice of Realty Action
NPS	National Park Service
NR	National Register
O&G	Oil and Gas
OSM	Office of Surface Mining
PMACA	Private Maintenance and Care Agreement
PI	Petroleum Information Corporation
PL	Project Leader
PL List	Public Lands List
PLO	Public Land Order
PM	Program Manager
PMOA	Programmatic Memorandum of Agreement
PRL	Preference Right Lease
R&PP	Recreation and Public Purposes Act
ROD	Record of Decision
SAC	Special Agent-in-Charge
SD	State Director
SHPO	State Historic Preservation Officer
SID	Secretarial Issue Document
SMA	Surface Management Agency
SO	State Office
SOG	Simultaneous Oil and Gas Leasing
SOL	Solicitor
AS-LMM	Assistant Secretary for Land and Minerals Management
T&E, T/E	Threatened and Endangered
TMR	Transmittal Memorandum of Recommendations
U.S.C.	United States Code
U.S.G.S.	U.S. Geological Survey
WO	Washington Office
WSO	Wyoming State Office

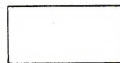
# FLOW CHART LEGEND



ACTION STEP



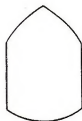
DECISION  
POINT



ACTION +  
DECISION



STOP  
ACTION



ACTION  
COMPLETED-  
MATERIALS  
FILED

GO TO STEP X

BLM Library  
D-553A, Building 50  
Denver Federal Center  
P. O. Box 25047  
Denver, CO 80225-0047

MAIN FLOW (emphacized!)

2 WORK FLOWS JOINED

BEST ESTIMATED  
TIME INDICATED (ON  
FLOW CHART SECTION)

30

TIME REQUIRED BY  
REGULATION SHOWN (ON  
FLOW CHART SECTION)

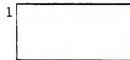
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YES

"YES" DECISION OUTCOME

NO

"NO" DECISION OUTCOME



962

PARTIAL  
EXAMPLE



910

YES

NO

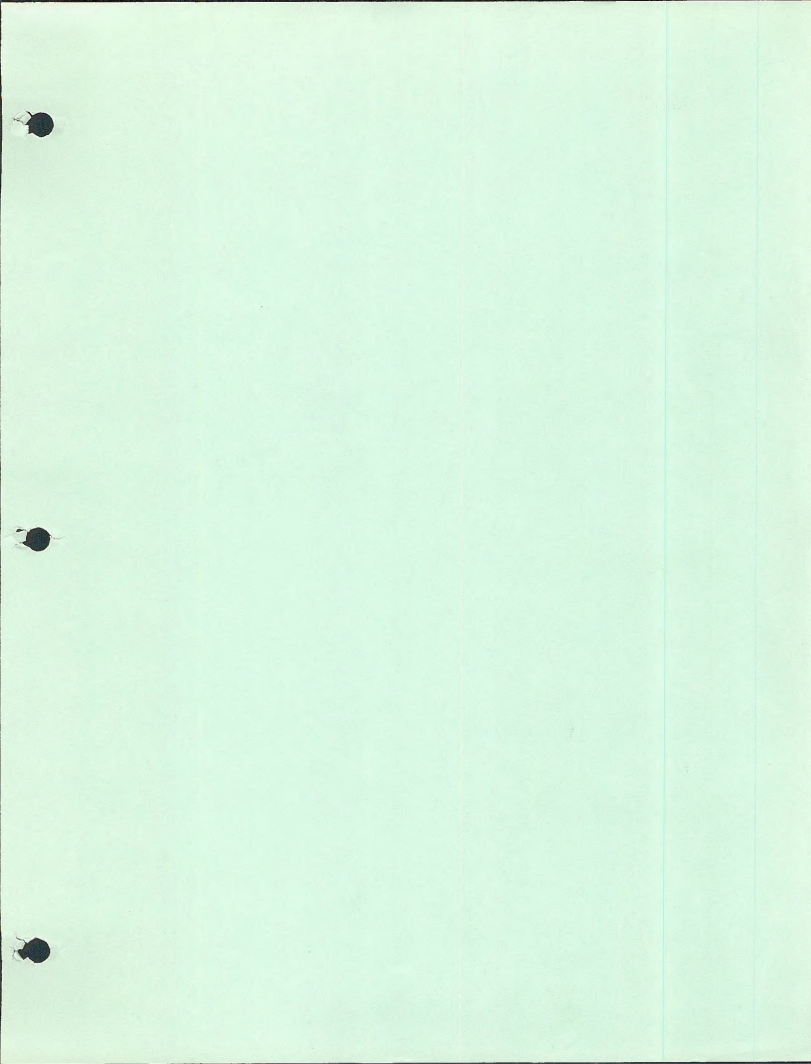
2A



DO

BLM Library  
D-553A, Building 50  
Denver Federal Center  
P. O. Box 25047  
Denver, CO 80225-0047

BLM Library  
D-553A, Building 50  
Denver Federal Center  
P. O. Box 25047  
Denver, CO 80225-0047



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